

Thomas M. Bowes
President
District 3

Shannon L. Hume
At Large

CHARLES B. Ryan
At Large

CHARLES C. Kokoros
District 1

JOHN C. MULLANEY
District 2



Sean E. Powers
Vice President
At Large

Stephen C. O'Brien
District 4

Michael J. Owens
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

- AGENDA -

September 1, 2015 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30_{PM}

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

APPROVAL OF MINUTES

- August 11, 2015

CORRESPONDENCE

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 043 15 Council President/Town Clerk: Town Council vote for new Voting Tabulators
- 044 15 Council President/Town Clerk: Polling Place Accessibility Report
- 045 15 Council President/Town Clerk: Travel Policy - Town Clerk Conference September 2015
- 046 15 Barbara Tennison: Discussion - Commission on Disabilities

CITIZEN CONCERNS/COUNCIL RESPONSE

- 047 15 Councilor Owens/Penny Shaw: Disability Issues

OLD BUSINESS

- 15 027 Retirement Board Members Compensation or take up any action relative thereto (Public Hearing **tabled** on 8/11/15)
- 15 029 BELD: Watson 3 Generating Station – Authorization to Borrow or take up any action relative thereto (PUBLIC HEARING)
- 14 022 Council President: Update of Chapter 5-565: Peddling & Solicitation (Former By-Law chapter 5.32) or take up any action relative thereto (Public Hearing **tabled** on 8/11/15)

NEW BUSINESS

None

Refer to the Committee on Ways & Means

- 033 15 Town Auditor Job Posting or take up any action relative thereto
- 15 034 Mayor: Insurance Recovery Account Transfer or take up any action relative thereto

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Committee on Ordinance & Rules – **WEDNESDAY, SEPTEMBER 9, 2015@6:30pm** (Johnson Chambers)

Next Council Meeting - **TUESDAY, SEPTEMBER 15, 2015@ 7:30pm**

ADJOURNMENT

Thomas M. Bowes
President
District 3



Sean E. Powers
Vice President
At Large

Shannon L. Hume
At Large

Stephen C. O'Brien
District 4

CHARLES B. Ryan
At Large

Michael J. Owens
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District 6

JOHN C. MULLANEY
District 2

OFFICE OF THE TOWN COUNCIL

August 11, 2015

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, August 11, 2015 beginning at 7:30p.m.

Council President Bowes was in the chair.

The Clerk of the Council conducted the roll call.

Present: Thomas Bowes, President
Sean Powers, Vice President
Paul Dan Clifford
Shannon Hume
Charles Kokoros
Stephen C. O'Brien
Michael Owens
Charles Ryan

Not Present: John Mullaney

Also Present: Joseph C. Sullivan, Mayor
Edward Spellman, Finance Director
Christine Stickney, Director Planning & Community Development

APPROVAL OF MINUTES

- July 14, 2015

Motion: by Councilor Powers to Approve Minutes of July 14, 2015

Second: by Councilor Kokoros

Vote: For (7), Against (0), Absent (1-Mullaney), Abstain (1-O'Brien)

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 033 15 Council President: Discussion – Town Auditor position

Motion made at the Committee of Ways & Means meeting by Councilor Hume to revise this job description (revise one paragraph and eliminate another) recommend to the full council.

Motion: by Councilor Hume favorable recommendation to the full council

Second: by Councilor Powers

Vote: For (3), Against (0), Absent (1-Mullaney)

CITIZEN CONCERNS/COUNCIL RESPONSE

- 041 15 Councilor Powers: Speeding Concern Howie Road.

There were many residents from the Howie Road area present at the Council meeting. There were documents given with radar detection information from the Braintree Police Department showing excessive speeds. They were requesting a reduced speed limit and STOP signs at Acorn Street and Howie Road. Councilor Powers and Councilor Kokoros stated they will contact TASC and see the appropriate action is taken to help with the Speeding Concerns.

OLD BUSINESS

- 15 019 REZONE: Proposed Zoning Amendment – Article VII (Area Regulations) or take up any action relative thereto (**PUBLIC HEARING**)

Motion by Councilor Powers to Open Public Hearing for Order 15 019

Motion: by Councilor Powers

Second: by Councilor Kokoros

Vote: For (8), Against (0), Absent (1-Mullaney)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 019?

Councilor Clifford stated this was voted at the Committee on Ordinance & Rules for favorable recommendation to the full council.

Motion by Councilor Powers to Close Public Hearing for Order 15 019

Motion: by Councilor Powers

Second: by Councilor Kokoros

Vote: For (8), Against (0), Absent (1-Mullaney)

MOTION: Propose to amend Zoning Ordinance Article VII (Area Regulations) under Section §135-701 by adding after the Table of Dimensional and Density Regulations a new note (11) "Properties located in a Highway Business District that use parking structures to meet off-street parking requirements set forth in §135-806, with or without building area above or below such parking structure, may increase the allowable Building Coverage by 5% for a total Maximum Building Coverage of 30% so long as the site provides at least the 25% Open Space and 75% Lot Coverage.

Motion by Councilor Powers to Accept Council Order 15 019

Motion: by Councilor Powers

Second: by Councilor Kokoros

Vote: For (7), Against (1-O'Brien), Absent (1-Mullaney)

Councilor Kokoros left the meeting at 8:25pm.

Councilor Owens left the meeting at 8:28 pm.

- 15 024 Mayor: Six Capital Article Requests or take up any action relative thereto (**PUBLIC HEARING**)

This Council Order 15 024 Item (6) – Hazmat Vehicle was TABLED on July 14, 2015 so Council could receive a complete written Motion on this item.

Motion by Councilor Powers to Open Public Hearing for Order 15 024 (6)

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (6), Against (0), Absent (3-Mullaney, Kokoros, Owens)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 024 (6)?

Motion by Councilor Powers to Close Public Hearing for Order 15 024 (6)

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (6), Against (0), Absent (3-Mullaney, Kokoros, Owens)

(6) – Hazmat Vehicle

MOTION: That the sum of \$39,780 be transferred from the Town's Fire Department Vehicle replacement account, to the Fire Department / program 62 capital / Hazmat vehicle replacement account.

Motion: by Councilor Powers to approve Order 15 024 (6)

Second: by Councilor Ryan

Vote: For (6), Against (0), Absent (3-Mullaney, Kokoros, Owens)

Councilor Owens returned to Council Chambers at 8:33pm

- 15 025 Mayor: Establishment of OPEB Trust or take up any action relative thereto (**PUBLIC HEARING**)

Motion by Councilor Powers to Open Public Hearing for Order 15 025

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 025?

Ed Spellman, Director of Finance stated a revision to the Trust was added per the request of Councilor Mullaney. He requested the Council President or his designee will be part of the Board who oversees this OPEB Trust along with the Town Accountant or his designee.

Motion by Councilor Powers to Close Public Hearing for Order 15 025

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

Councilor Powers read the Motion:

MOTION: That the Town of Braintree hereby establishes an irrevocable Other Post Employment Benefits (OPEB) Trust Agreement, attached.

Motion: by Councilor Powers to accept Order 15 025

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

Councilor Powers read the following resolutions:

RESOLVED: That, the Town of Braintree has established an Other Post-Employment Benefits Liability Trust Fund ("OPEB Trust Fund") in accordance with the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, section 57 of the Acts of 2011 (the "Act");

RESOLVED: That, in accordance with the Act, the Town of Braintree hereby designates the Town Treasurer/Collector to serve as custodian of the Municipality's OPEB Trust Fund;

RESOLVED: That the Mayor of the Municipality be authorized to execute and deliver the Investment Agreement with State Retirement Benefits Trust ("SRBT") in substantially the form presented to this meeting and attached hereto, and that the Treasurer/Collector be authorized to sign checks and wire OPEB Trust Funds to SRBT or to the Pension Reserves Investment Trust, or as it may otherwise be directed by SRBT, and to make withdrawals and investments and enter into such agreements and deliver such certificates and other documents as SRBT or the Pension Reserves Investment Management Board may direct; and

RESOLVED: That the sum of \$4,527,985 be appropriated by transferring said sum from the Town's OPEB Trust Fund to the SRBT Fund.

Motion: by Councilor Powers to accept Order 15 025

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

- 15 026 National Grid Petition: Packard Drive or take up any action relative thereto

Councilor Charlie Ryan, Committee Chair for the Committee on the Department of Public Works stated the Committee recommends favorable action with the following Staff Recommendations:

MOTION: To install and maintain approximately 275 feet of 2 inch gas main from the existing 2 inch main at house # 20 northerly and westerly to house # 45 and #47 Packard Drive for new gas service with staff recommendations.

BELD: Engineering has reviewed the proposed installation plan and has no underground electric utility conflicts within the proposed scope of work.

Please note that there are underground electric and communication utility's serving the development to the East of Packard Dr. at the limits of the proposed excavation and trench plan.

DPW: This section of Packard Drive is not under moratorium. The Town intends to install a new water main through that entire section this year beginning early summer, so prompt completion of the gas main installation would avoid coordination problems with the Town's contractor. We'd recommend that the

petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendant. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor’s engineer and approved by the DPW and Police Department.”

Motion: by Councilor Ryan to accept Order 15 026

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

• 15 027 Retirement Board Members Compensation or take up any action relative thereto (**Public Hearing for the proposed Ordinance change**)

Jeanne Martineau, Director of Braintree Retirement would like to give an overview of what the Board does. Refer to the Committee on Ordinance & Rules/ Committee on Ways & Means Chairman....

Motion by Councilor Powers to Open Public Hearing for Order 15 027

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 027?

This Order 15 027 was TABLED at the Committee on Ways & Means meeting until some questions can be answered from the Town Solicitor.

Motion by Councilor Powers to Close Public Hearing for Order 15 027

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (3-Mullaney, Kokoros)

Councilor Powers made a motion to TABLE Order 15 027.

Motion: by Councilor Powers to TABLE Order 15 027

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2-Mullaney, Kokoros)

Councilor Kokoros returned at 8:50pm

- 15 028 East Braintree Fire Station – Additional Funding Request or take up any action relative thereto
(Public Hearing)

Motion by Councilor Powers to Open Public Hearing for Order 15 028

Motion: by Councilor Powers

Second: by Councilor Kokoros

Vote: For (8), Against (0), Absent (1-Mullaney)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 028?

Motion by Councilor Powers to Close Public Hearing for Order 15 028

Motion: by Councilor Powers

Second: by Councilor Kokoros

Vote: For (8), Against (0), Absent (1-Mullaney)

MOTION:

That the Town appropriate the amount of One Hundred Seventy Four Thousand - Three Hundred and Fifty (\$174,350) Dollars for the purpose of paying the additional costs identified in the proposed change orders to the East Braintree Fire Station. To meet this appropriation the sum of One Hundred Seventy Four Thousand- Three Hundred and Fifty (\$174,350.) Dollars be transferred from the Town's Building Capital Stabilization fund.

Motion: by Councilor Powers to accept Order 15 028

Second: by Councilor Kokoros

Vote: For (8), Against (0), Absent (1-Mullaney)

- 15 030 Peterson Pool/Rink Athletic Facility – Authorization to Transfer Custody of Property or take up any action relative thereto

Mayor Joseph C. Sullivan stated this is only a transfer of land from the School Department to the Mayor's Department. The School Department voted in favor of this.

Council President Bowes stated the Town still owns this land and will continue to do so.

Councilor O'Brien stated he does not like the way this Motion was worded. He will not support this the way it is written.

MOTION:

That the Town Council vote, pursuant to General Laws, Chapter 40, Section 15A, to transfer the care, custody and control of a portion of a parcel of land, commonly referred to as Carson Field, identified on the Assessors Map 1042, Lot 02, consisting of 6.0 acres, more or less, to the Mayor for the purpose of leasing said parcel to a third party to construct, operate and maintain a pool/rink facility on said parcel under conditions deemed favorable to the Town and further to authorize the Mayor to execute any documents needed to carry out this vote, and further to authorize the School Committee to grant an easement or easements to provide access, egress and utilities to the pool/rink facility. The transfer / lease

area is described as follows, but is subject to refinement upon recording of a stamped plan to be prepared following this action:

Beginning at the intersection of the existing northerly boundary line of the Braintree High School property with the easterly side line of Granite Street; thence about 326 feet easterly along that existing northerly boundary line to the projection of a straight line best fitting along the existing fence line separating "Carson Field" from the football / track area; thence about 533 feet southerly along that projected straight line (extending about 46 feet along the easterly edge of the existing paved parking lot) to a point; thence about 424 feet westerly along a line perpendicular to the last and crossing the paved parking lot south of its existing northerly edge; thence about 107 feet southerly along the western edge of the existing paved parking lot; thence about 113 feet on a line perpendicular to the easterly side line of Town Street; thence about 703 feet along the easterly sidelines of Town and Granite Streets to the point of beginning.

Motion: by Councilor Powers to accept Order 15 030

Second: by Councilor Kokoros

Vote: For (7), Against (1-O'Brien), Absent (1-Mullaney)

• **074 14** Councilor Ryan: 5 Year Moratorium or take up any action relative thereto (**PUBLIC HEARING**)

Motion by Councilor Powers to Open Public Hearing for Order 074 14

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (8), Against (0), Absent (1-Mullaney)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 074 14?

Councilor Ryan stated he is the Committee Chairman on the Committee of the Department of Public Works. The Committee had eight (8) meetings on this and Town Engineer, Bob Campbell had a lot of input in making these changes to the street moratorium.

Motion by Councilor Powers to Close Public Hearing for Order 074 14

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (8), Against (0), Absent (1-Mullaney)

MOTION: To see if the Town will vote to amend its General Ordinances, Chapter 12.08 - Excavation and Obstructions, by amending Section 12.08.010, Permit, for the purpose of adding a new paragraph D and paragraph E as printed in the attachment hereto.

(Please note that the attached text must in fact be attached to this motion, or the entire text of paragraphs D and E must be read as part of the motion.)

Make the following change to the Town Ordinances, Section 12.08.010, ADD subsections D. and E., as follows:

12.08.010

D. Except as noted in Section E. below, no permit shall be granted within the moratorium period specified below for any non-emergency¹ excavation within the improved area.

| Improvement | Description | longitudinal Trench | Transverse Trench (or transverse plus longitudinal totalling less than 150 feet.) |
|--|---|---------------------|---|
| Reconstruction | New pavement over repaired or replaced granular base ² | 10 years | 5 years |
| Mill & Overlay | New pavement over milled existing pavement | 10 years | 5 years |
| Overlay | 1-inch plus full lane width overlay of existing pavement ² | 10 years | 5 years |
| Shim with Microsurface, Chip Seal, Cape Seal, etc. | less than 1-inch full width surface treatment over paved shim along middle area of road | 10 years | 5 years |
| Microsurface, Chip Seal, Cape Seal, etc. | Less than 1-inch full width surface treatment over existing pavement | 10 years | 3 year |
| Other treatments | Not known at this time | TBD ³ | TBD ³ |

E. The Town Council may grant a petition of National Grid or other gas company for a permit to excavate in an improved area under the moratorium and may require such mitigation and repairs as it sees fit, and it may require that surety be posted to secure the completion of the required mitigation and repairs.

The Mayor may grant a petition of others for a permit to excavate in an improved area under the moratorium for public safety related concerns, and may require such mitigation and repairs as he sees fit, and he may require that surety be posted to secure the completion of the required mitigation and repairs.

The minimum mitigation and surface repair requirement that should be expected for longitudinal excavation in an improved area in the first seven years of the moratorium is for full width curb to curb milling and re-paving for the full length of the excavation along the road plus another 25 feet at each end.⁴

The minimum mitigation and surface repair requirement that should be expected for a.) all transverse excavation or for b.) longitudinal excavation in the last three years of the moratorium is crown to curb milling and re-paving the extent of the excavation plus another 5 foot length each edge in the direction of traffic.⁴

All pavement markings shall be replaced in-kind. Curbs and sidewalks must be repaired or replaced, each to the satisfaction of the Highway Superintendent. Infrared treatment of seams may be required at the discretion of the Highway Superintendent.

¹ Emergency excavations for National Grid or other gas company shall consist of excavation to fix a "Grade 1" leak. For all others an emergency shall be as defined in Massachusetts' "DIG SAFE" law, MGL C.82S 40 and 40A through 40E.

² Includes Improved sidewalks

³ To be determined by the Town Council as cases arise.

⁴ Length and/or width of repair may be varied at Intersections and in other special circumstances.

Councilor Ryan made a motion to accept Order 074 14.

Motion: by Councilor Ryan to accept Order 074 14

Second: by Councilor Powers

Vote: For (8), Against (0), Absent (1-Mullaney)

- 14 022 Council President: Update of Chapter 5-565: Peddling & Solicitation (Former By-Law chapter 5.32) or take up any action relative thereto (**PUBLIC HEARING**)

Motion by Councilor Powers to Open Public Hearing for Order 14 022

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (8), Against (0), Absent (1-Mullaney)

Council President Bowes asked if any member of the Council or General Public want to speak on Order 14 022?

Council President Bowes referred to Councilor Clifford (Committee Chair) for Committee on Ordinance & Rules for recommendation. Councilor Clifford asked for this item to be TABLED.

Motion by Councilor Powers to Close Public Hearing for Order 14 022

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (8), Against (0), Absent (1-Mullaney)

Councilor Powers made a motion to TABLE Order 14 022 until questions can be answered from the Town Solicitor.

Motion: by Councilor Powers to TABLE Order 14 022

Second: by Councilor Ryan

Vote: For (8), Against (0), Absent (1-Mullaney)

NEW BUSINESS

None

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:06p.m.

Respectfully submitted,

Susan M. Cimino

Clerk of the Council

Documents provided for Meeting

- July 14, 2015 Council Meeting Minutes
- 15 019 REZONE: Proposed Zoning Amendment – Article VII (Area Regulations) or take up any action relative thereto
- 15 024 Mayor: Six Capital Article Requests Item (6) Hazmat Vehicle or take up any action relative thereto
- 15 025 Mayor: Establishment of OPEB Trust or take up any action relative thereto
- 15 026 National Grid Petition: Packard Drive or take up any action relative thereto
- 15 027 Retirement Board Members Compensation or take up any action relative thereto
- 15 028 East Braintree Fire Station – Additional Funding Request or take up any action relative thereto
- 15 030 Peterson Pool/Rink Athletic Facility – Authorization to Transfer Custody of Property or take up any action relative thereto
- 14 022 Council President: Update of Chapter 5-565: Peddling & Solicitation (Former By-Law chapter 5.32) or take up any action relative thereto
- 074 14 Councilor Ryan: 5 Year Moratorium or take up any action relative thereto

Use of Voting Machines

MGL Chapter 54 Section 34

UPON THE REQUEST OF THE TOWN CLERK OF THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

That the Town of Braintree begin using Election Systems & Software Voting Tabulator Model DS200 and discontinue use of LHS Associates Accu-Vote Model #79811-03 Voting Tabulator.

Report on Compliance
Town of Braintree
Polling Place Accessibility Study
for
Elderly and Handicapped Voters

August 2015

James M. Casey

Town Clerk

Background

In April 2015, The Office of the Secretary of the Commonwealth of Massachusetts – Election Division offered each community across the State the opportunity to survey their polling locations to ensure compliance with the Polling Place Accessibility for Elderly and Handicapped Voters regulations (950 C.M.R. § 51.00, et seq.). This service would be conducted by a trained representative of the Office of the Secretary of State – Election to ensure accuracy with focus on accessibility on Election Day.

Recent changes to regulations in 950 C.M.R. § 51.00 implements the federal Voting Accessibility for the Elderly and Handicapped Act, 42, USC §§ 1973ee to 1973ee-6 (the “Act”), and Amended Article 114 of the Massachusetts Constitution and applies to all Massachusetts elections. The purpose of 42 USC 42 USC §§ 1973ee to 1973ee-6, Amended Article 114 of the Massachusetts Constitution and 950 CMR § 51.00 is to promote the fundamental right to vote by improving access for handicapped and elderly individuals to polling places and the voting process.

With consultation with the Town Council President, Councilor Thomas Bowes, the Town Clerk’s Office accepted the State’s offer to conduct an assessment of Braintree’s polling locations by a trained professional. On May 18, 2015 the State conducted a survey of Polling Place Accessibility for Elderly and Handicapped Voters in the Town of Braintree and issued their findings shortly thereafter.

Background

Of the twelve (12) polling locations surveyed by the State on May 18, 2015, eight (8) were found **not** to be in compliance with the requirements of 950 C.M.R. § 51.00. These non-compliance polling locations are:

| <u>Precinct</u> | <u>Location</u> | <u>Violation Category</u> |
|-----------------|-----------------------------|---------------------------|
| 1A | Marge Crispin Center | Parking |
| 2B | St. Thomas More Parish | Ramp, Accessible Entrance |
| 3B | Recreation Building | Parking, Entrance |
| 4A | East Middle School | Parking, Ramp |
| 4B | Archie T. Morrison School | Parking |
| 5B | Liberty Elementary School | Parking |
| 6A | South Middle School | Ramp |
| 6B | Highlands Elementary School | Parking |

Additional findings for Election Day were provided to enhance access for handicapped and elderly individuals to polling places and the voting process are shown below:

- At the time of the survey, there were vans parked permanently in the accessible parking spaces. On Election Day, it is important that all accessible spaces are made available during polling hours. **[Precincts 1A, 3B and 5B]**
- Whenever possible, all voters should enter the polling location through the same entrance. It is suggested that voters enter via the main entrance rather than the side entrance that is not ADA compliant. **[Precincts 1B, 3A and 6B]**
- The gym doors measure 29 inches wide. Both doors must be kept open during polling hours. **[Precincts 1B, 2A and 5B]**
- Although not necessary, signage at the two accessible parking spaces in the circular driveway is encouraged. **[Precincts 1B, 6A and 6B]**
- The elevator must be functioning on Election Day. It is suggested having a technician on call on Election Day to ensure the elevator is working properly and any issues can be fixed in a timely fashion. **[Precinct 1A]**
- Ramp needs to be resurfaced to ensure an accessible route uninterrupted by steps or changes in level greater than ½ inch. **[Precinct 5A]**

Background

Parking received the highest level of non-compliance of the failing polling locations. This violation category is defined as “signage missing at accessible spaces”. Each accessible space is required to be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground. Van accessible spaces shall include the words “Van Accessible”.

SIGNAGE

Installation: Permanent Signs

Crispin Center (Precinct 1A) 4 Handicap, 2 Van Accessible

Recreation Building (Precinct 3B) 1 Handicap (existing handicap sign to be relocated to right of van access area with handicap sign replacing old van sign.

East Middle School (Precinct 4A) 3 Handicap, 1 Van Accessible

Morrison School (Precinct 4B) 2 Handicap

Liberty School (Precinct 5B) 3 Handicap, 1 Van Accessible

Highland School (Precinct 6B) 3 Handicap, 1 Van Accessible

Temporary Signs (for Election Day)

A total of six (6) transportable Handicap signs for use at **Flaherty School** (Precinct 1B), **South Middle School** (Precinct 6A) and **Highlands School** (Precinct 6B). Two (2) signs to be placed in the circular driveways of each noted school on Election Days.



Total
Quantity
22

Each accessible space shall be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground.



Total
Quantity
6

Each accessible space shall be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground. **Van accessible spaces shall include the words “Van Accessible”.**

Background

Ramps were found to be non-compliant in three (3) polling locations. For both East and South Middle Schools, the railings need to be fixed so that there are two pairs of handrails along both sides that are round or oval in shape and are set in pairs, one at a height between 34 and 38 inches and a lower one at a height between 18 and 20 inches. Additionally, for East Middle School, the ramp should continue down to the curb cut. The third polling location with a non-compliant ramp is St. Thomas More Parish. The wooden ramp is not in sound structural condition. The ramp is missing a bottom rail that measures between 18 and 20 inches in height and the ramp should continue up the hill where there is currently pavement to the accessible entrance.

Ramps



East
Middle
School

The ramp should continue down to the curb cut.

The railings need to be fixed so that there are two pairs of handrails along both sides that are round or oval in shape and are set in pairs, one at a height between 34 and 38 inches and a lower one at a height between 18 and 20 inches.



South
Middle
School

The railings need to be fixed so that there are two pairs of handrails along both sides that are round or oval in shape and are set in pairs, one at a height between 34 and 38 inches and a lower one at a height between 18 and 20 inches.



St.
Thomas
More
Parish

The wooden ramp is not in sound structural condition.

The ramp is missing a bottom rail that measures between 18 and 20 inches in height.



The ramp should continue up the hill where there is currently pavement to the accessible entrance.

Background

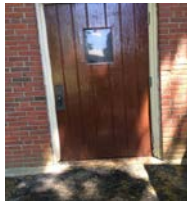
The **voter entrance** (accessible) in two of the polling locations were found to be non-compliant. St. Thomas More Parish accessible entrance had a change in level that was greater than ½ inch. While, at the Recreation Building, the ramp area did not have the required 60 inches of level space from the polling entrance door on the exterior side.

Voter Entrance



Recreation
Building

There is no level space 60 inches from the polling entrance door on the exterior side. Blacktop to be added to extend the exterior platform to a level 60 inches and then feathered down the incline towards Quincy Avenue.



St.
Thomas
More
Parish

There is a change in level greater than ½ inch near the accessible door entrance. Blacktop to be added to raise the exterior platform to be level with threshold.

Summary of Findings

August 2015

Of the eight (8) polling locations found not to be in compliance with the requirements of 950 C.M.R. § 51.00, five (5) have been corrected and are now fully compliant while three (3) remain non-compliant. Non-compliance polling locations are:

| <u>Precinct</u> | <u>Location</u> | <u>Violation Category</u> |
|------------------------|------------------------|----------------------------------|
| 3B | Recreation Building | Entrance |
| 4A | East Middle School | Ramp |
| 6A | South Middle School | Ramp |

The Director of Public Works, Tom Whalen, has assured me that all outstanding non-compliant issues will be corrected by September 15th.

Detailed compliance results, including Election Day requirements, for each of the twelve (12) Braintree polling locations are attached.

Massachusetts Polling Place Accessibility Survey

Compliance Results



Marge Crispin Center
74 Pond Street
District 1A

Compliance

May Findings No
August Findings Yes

Violation Category

Parking



Signage missing at accessible spaces.

Each accessible space shall be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground. Van accessible spaces shall include the words "Van Accessible".



Action: Signage installed at each accessible parking space as shown.



Massachusetts Polling Place Accessibility Survey

Compliance Results



**Marge Crispin Center
74 Pond Street
District 1A**

Election Day Comments

At the time of the survey, there were vans parked permanently in the accessible parking spaces. On Election Day, it is important that all accessible spaces are made available during polling hours.

Action: Crispin Center will be reminded to use the side parking area on Election Day leaving all accessible spaces open for voters.

The elevator must be functioning on Election Day. It is suggested having a technician on call on Election Day to ensure the elevator is working properly and any issues can be fixed in a timely fashion.

Action: Elevator company to be notified; requesting a technician to be on call.

Massachusetts Polling Place Accessibility Survey

Compliance Results



Mary E. Flaherty School 99 Lakeside Drive District 1B

Compliance

May Findings Yes
August Findings Yes

Violation Category

None

Election Day Comments



Although not necessary, signage at the two accessible parking spaces in the circular driveway is encouraged.

Action: Temporary signage will be placed at the two accessible parking spaces.



Whenever possible, all voters should enter the polling location through the same entrance.

Action: Side entrance will have signage directing all voters to enter the polling location at the main entrance.

The gym doors measure 29 inches wide. Both doors must be kept open during polling hours.

Action: Both doors will be left open during voting hours.

Massachusetts Polling Place Accessibility Survey

Compliance Results



N. Eugene Hollis School 482 Washington Street District 2A

Compliance

May Findings Yes
August Findings Yes

Violation Category

None

Election Day Comments



The voter entrance doors measure 29 inches wide. Both doors must be kept open during polling hours.

Action: Both doors will be left open during voting hours.

Massachusetts Polling Place Accessibility Survey

Compliance Results



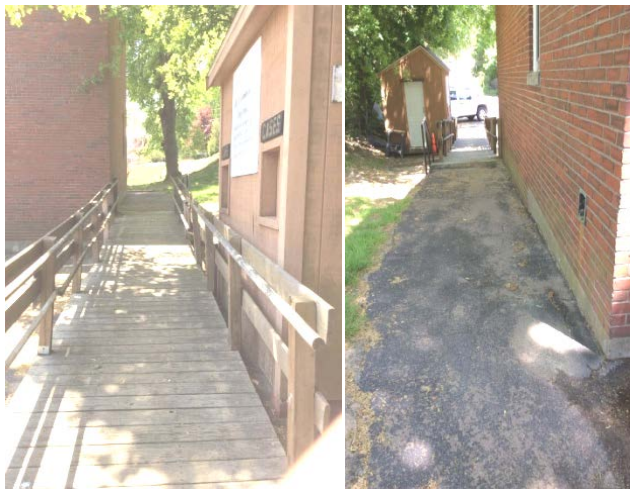
St. Thomas More Parish 7 Hawthorn Road District 2B

Compliance

May Findings No
August Findings Yes

Violation Category

Ramp



The wooden ramp is not in sound structural condition.

The ramp is missing a bottom rail that measures between 18 and 20 inches in height. The ramp should continue up the hill where there is currently pavement to the accessible entrance.



Action: The wooden ramp and asphalt ramp were completely rebuilt/resurfaced and the side rails were replaced and extended to the top level platform at the handicap entrance.

Massachusetts Polling Place Accessibility Survey

Compliance Results



St. Thomas More Parish 7 Hawthorn Road District 2B

Violation Category

Accessible Entrance



There is a change in level greater than 1/2 inch near the accessible door entrance.



Action: Grade at the accessible door entrance was resurfaced to meet the entrance threshold to eliminate 1/2 inch gap.

Election Day Comments

None

Massachusetts Polling Place Accessibility Survey

Compliance Results



Donald E. Ross School 20 Hayward Street District 3A

Compliance

May Findings Yes

August Findings Yes

Violation Category

None

Election Day Comments



Whenever possible, all voters should enter the polling location through the same entrance.

It is suggested that voters enter via the left side entrance that is ADA compliant rather than the main entrance that is not ADA compliant.



Action: Right side entrance will have signage directing all voters to enter the polling location at the left side ADA compliant entrance.

Massachusetts Polling Place Accessibility Survey

Compliance Results



Recreation Building 85 Quincy Avenue District 3B

Compliance

May Findings No
August Findings Yes

Violation Category

Parking



There is no access aisle for the accessible parking space. The current space should be combined with the next space to make a Van Accessible Space that is 8 feet wide with an adjacent 8 foot access aisle.

Signage is needed with the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground with the words "Van Accessible".



Action: A second handicap parking space was added next to right of the van access area and appropriate signage has been installed.

Massachusetts Polling Place Accessibility Survey

Compliance Results



Recreation Building 85 Quincy Avenue District 3B

Compliance

May Findings No

August Findings No

Violation Category

Entrance



Platform level is less than 60 inches from the polling entrance door on the exterior side.

Action: DPW Director assured me that platform will be in compliance by September 15th.

Election Day Comments

At the time of the survey, there was a pickup truck parked in the accessible parking space access aisle. On Election Day, it is important that all accessible spaces and aisles are made available during polling hours.

Action: Precinct Warden and Police Officer will be instructed to monitor parking area..

Massachusetts Polling Place Accessibility Survey

Compliance Results



East Middle School
305 River Street
District 4A

Compliance

May Findings No
August Findings Yes

Violation Category

Parking



The 4 accessible parking spaces are missing signage.

There should be 1 van accessible parking space.

Each accessible space should be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground. Van accessible spaces shall include the words "Van Accessible".



Action: Signage installed at each accessible parking space as shown.



Massachusetts Polling Place Accessibility Survey

Compliance Results



**East Middle School
305 River Street
District 4A**

Compliance

May Findings No

August Findings No

Violation Category

Ramp



The ramp should continue down to the curb cut.

The railings need to be fixed so that there are two pairs of handrails along both sides that are round or oval in shape and are set in pairs, one at a height between 34 and 38 inches and a lower one at a height between 18 and 20 inches.



Action: Ramp is currently being fabricated and have been assured by the DPW Director that it will be installed by September 15th.

Election Day Comments

None

Massachusetts Polling Place Accessibility Survey

Compliance Results



Archie T. Morrison School 260 Liberty Street District 4B

Compliance

May Findings No
August Findings Yes

Violation Category

Parking



The 2 accessible parking spaces closest to the entrance are missing signage.

Each accessible space should be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground.



Action: Signage installed at each accessible parking space as shown.



Election Day Comments

None

Massachusetts Polling Place Accessibility Survey

Compliance Results



Braintree Town Hall
One JFK Memorial Drive
District 5A

Compliance

May Findings Yes
August Findings Yes

Violation Category

None

Election Day Comments

Ramp needs to be resurfaced to ensure an accessible route uninterrupted by steps or changes in level greater than ½ inch.

Action: Damaged cement replaced and leveled with adjacent surface.



Massachusetts Polling Place Accessibility Survey

Compliance Results



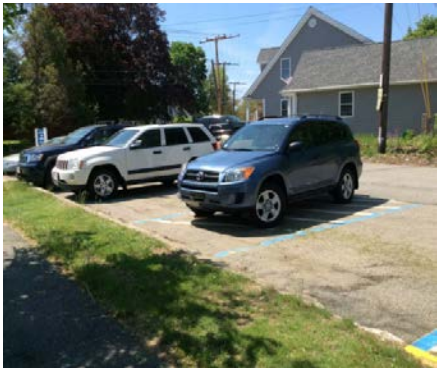
Liberty Elementary School 49 Proctor Road District 5B

Compliance

May Findings No
August Findings Yes

Violation Category

Parking



The accessible parking spaces are missing signage.

Each accessible space should be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground.

Action: Signage installed at each accessible parking space as shown.



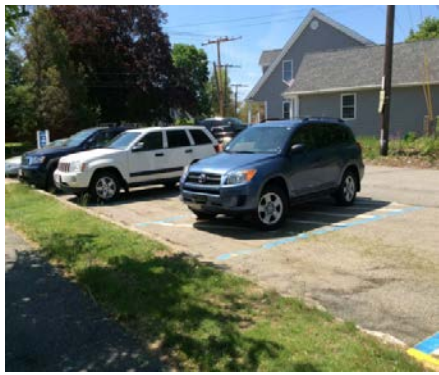
Massachusetts Polling Place Accessibility Survey

Compliance Results



Liberty Elementary School 49 Proctor Road District 5B

Election Day Comments



At the time of the survey, there was a car parked in the accessible parking space access aisle. On Election Day, it is important that all accessible spaces and aisles are made available during polling hours.

Action: Precinct Warden and Police Officer will be instructed to monitor parking area..



The voter entrance doors measure 29 inches wide. Both doors must be kept open during polling hours.

Action: Both doors will be left open during voting hours.

Massachusetts Polling Place Accessibility Survey

Compliance Results



**South Middle School
232 Peach Street
District 6A**

Compliance

May Findings No

August Findings No

Violation Category

Ramp



The railings need to be fixed so that there are two pairs of handrails along both sides that are round or oval in shape and are set in pairs, one at a height between 34 and 38 inches and a lower one at a height between 18 and 20 inches.



Action: Ramp is currently being fabricated and have been assured by the DPW Director that it will be installed by September 15th.

Massachusetts Polling Place Accessibility Survey

Compliance Results



**South Middle School
232 Peach Street
District 6A**

Election Day Comments



Although not necessary, signage at the two accessible parking spaces in the circular driveway is encouraged.

Each accessible space shall be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground.



Action: Accessible parking signage installed.

Massachusetts Polling Place Accessibility Survey

Compliance Results



Highlands Elementary School 144 Wildwood Avenue District 6B

Compliance

May Findings No
August Findings Yes

Violation Category

Parking



The accessible parking spaces are missing signage.

Each accessible space should be identified by a sign containing the International Symbol of Accessibility with the top of the sign between 5 and 8 feet above the ground.

Action: Signage installed at each accessible parking space as shown.



Massachusetts Polling Place Accessibility Survey

Compliance Results



Highlands Elementary School 144 Wildwood Avenue District 6B

Election Day Comments



Whenever possible, all voters should enter the polling location through the same entrance.

Action: Right side entrance will have signage directing all voters to enter the polling location at the ADA compliant main entrance.

The gym doors measure 29 inches wide. Both doors must be kept open during polling hours.

Action: Both doors will be left open during voting



To shorten the route from the accessible parking spaces to the gymnasium, a temporary accessible parking space could be used at the front entrance.

Action: Temporary accessible parking spaces signage will be placed within the circular driveway.

POLICY #1 – DEPARTMENTAL TRAVEL

Policy # 1- Department Travel:

Travel for Town related business must be pre-approved during the budget process. The form entitled "Addendum A" shall be completed. For each conference or meeting attended, the form requesting approval should be submitted accompanied with the budget. The form will ask for the following information: Conference Date, Description of Conference, Agenda or course description, number of days attended, relativity to job function, expected value to Council member or employee including continuing education credits, expected value to both the individual and the Town expressed both quantitatively and qualitatively, number of days out of the office, estimated costs broken out by lodging, travel, and conference/meeting expenses along with a comparison showing the most economical choice is presented for pre-approval. The form will be signed by the Council President if the budget is approved by the Town Council.

The Council President shall sign all requests for payment submitted to the Town Accountant.

At the conclusion of the conference or meeting, the attendee shall give a detailed summary explaining if the objectives of the meeting or conference were met and what was accomplished at the meeting or conference to the Clerk of the Council to be distributed to all Council members at their next meeting.

Unanticipated requests not approved during the budget process shall be pre-approved by the Town Council at one of its meetings.

**ADDENDUM A
REQUEST FOR TRAVEL EXPENSE APPROVAL**

REQUESTOR: James M. Casey

DEPARTMENT: Town Clerk

DATE OF MEETING OR CONFERENCE: October 1, 2015

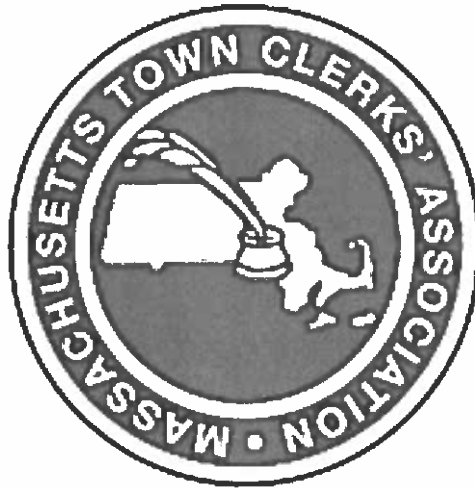
- 1) Name and Description of Conference Massachusetts Town Clerks' Association Conference
- 2) _____
- 3) Agenda or course description See attached Program Overview
- 4) Number of days for conference 1
- 5) Relativity to job function Preparation for 2016 Presidential Elections / Update on Public Records Law
- 6) Expected value to Council member or employee including continuing education credits Build knowledge and obtain clarity of the Town Clerk's role regarding voter changes to the Presidential Elections and gain insight to changes in public record laws. (education credits). Network with other Town Clerks and foster relationships to provide guidance in various areas of the position. Speak with vendors and evaluate new voting machines that will be required within the next few years.
- 7) Expected value to the Individual and Town expressed both quantitatively and qualitatively Obtain guidance and insight to the recent changes regarding Presidential Elections and public records laws.
- 8) Number of days out of the office due to conference and meeting travel 1
 - a) Meeting Cost \$ 50.00 (Conference Registration)
 - b) Travel Cost \$150.00 (estimated)
 - c) Meal Plan \$ 28.00 (Conference Lunch)
 - d) Total Cost \$228.00 (+/-)
 - e) Comparable costs showing the most economical choice is presented for pre-approval n/a


Authorized Signature (Requestor)

Town Council President certifying favorable vote

Approval date _____

**Massachusetts Town Clerks' Association
2015 Fall Conference**



**September 30th - October 2nd
Sheraton Springfield Monarch Place Hotel
Springfield, MA**



www.masstownclerks.org

CONFERENCE REGISTRATION & MEAL ORDERS
Massachusetts Town Clerk's Association Fall Conference
September 30th – October 2nd
Springfield Sheraton Monarch Place Hotel, Springfield, MA

PLEASE PRINT/TYPE AND COMPLETE A FORM FOR EACH PERSON ATTENDING:

NAME: JAMES CASEY CMMC CMC MMC (Please circle)

TITLE: Town Clerk 2014
(Year elected/appointed Town Clerk)

TOWN: Braintree

PHONE: 781-794-8202 FAX: 781-794-8259

E-MAIL: jm.casey@braintree.ma.gov

ARRIVAL DATE: DEPARTURE DATE:

Completed form, and checks payable to the 'MA Town Clerk's Association' for conference registration and meals ordered, shall be sent to:

Barbara LaBombard (cityclerk@easthampton.org)
50 Payson Avenue, Ste. 100, Easthampton, MA 01027
Tel: 413-529-1460 FAX: 413-529-1417

CONFERENCE REGISTRATION

(MTCA DUES must be paid in full prior to registration).

ADVANCE REGISTRATION (per person by September 18): \$ 50.00

LATE REGISTRATION/CONFERENCE DAY REGISTRATION: \$100.00

Amount enclosed for Conference Registration:

\$ 50⁰⁰

MEAL PLAN – ALL ATTENDING MUST MAKE MEAL SELECTIONS

For completion by EACH attendee attending the conference.

Meals are not included in the hotel registration.

Thursday Breakfast: \$25.00

Thursday Lunch: \$28.00 X

Thursday Banquet: \$40.00

Please select banquet meal choice:

Chicken Parmesan: Sage Ravioli with Butternut Squash:

Friday Breakfast: \$25.00

Amount enclosed for meals:

\$ 28⁰⁰

TOTAL ENCLOSED \$ 78⁰⁰

**2015 MTCA FALL CONFERENCE
EDUCATIONAL COURSE REGISTRATION FORM**

(Please make a copy for your files - you will be registered in the class of your choice unless contacted.)

**On-line registrations are encouraged to save many hours of processing requests and creating class lists.
On-line registration is quick and easy. Please give it a try!**

Pre-registration is required for all courses. Register online or complete the form below.*
For planning purposes, please register by **September 19, 2015**

Please review course descriptions before choosing your classes. Register for only one morning & one afternoon class on Thursday.

To Register for classes online: If this is your first time signing up

- 1) Go to the Sign up site: Click on this link : <http://prestogen.com/vo/mtca>
(You can copy and paste the link into your browser if this link doesn't work for you)
- 2) At the top of the page click on the **Register** link
- 3) Enter in your personal information and create a Password
- 4) When you have finished click on the **LOG-IN** button
- 5) Sign up for the Courses you'd like to attend and Log Out when you are done.

Now you're ready to sign up for classes

- 1) Go to the Sign up site: Click on this link : <http://prestogen.com/vo/mtca>
(You can copy and paste the link into your browser if this link doesn't work for you)
- 2) At the top of the page click on the **Log In** link
- 3) Enter in your Email and Password
- 4) Sign up for the Courses you'd like to attend and Log Out when you are done.

***** If returning by fax or mail, please fill out the form below and send to Kaari Mai Tari, 55 Main Street, Westford, MA 01886 / fax: 978-399-2555 / Email: ktari@westfordma.gov**

WEDNESDAY PM 1:30 PM – 4:45 PM

General Session: The Accidental Profession – Professional Development and Certifications _____

THURSDAY AM 9:00 AM – 12:00 NOON

Session A: Elections – Troubleshooting and Avoiding Pitfalls for the March Primary _____

Session B: Town Meeting _____

Session C: Athenian Dialogues – All the Great Prizes: The Life of John Hay Lincoln to Roosevelt _____

Session D: Using Technology to Track Data, Create Templates & Development Forms _____

THURSDAY PM 1:45 PM – 4:45 PM

Session E: Elections – Troubleshooting and avoiding Pitfalls for the March Primary _____

Session F: Public Records Law _____

Session G: Athenian Dialogues – All the Great Prizes: The Life of John Hay Lincoln to Roosevelt _____

Session H: Panning for Gold – The Basics of Grant-Writing _____

CLASSROOM ASSIGNMENTS WILL BE POSTED AT THE REGISTRATION DESK

NAME: JAMES CASEY **TOWN** Braintree

TITLE: Town Clerk **PHONE** 781-794-8202

EMAIL ADDRESS: Jmcasey@BraintreeMA.gov 
Signature of Town Clerk

www.masstownclerks.org

MTCA 2015 FALL CONFERENCE PROGRAM OVERVIEW

WEDNESDAY, SEPTEMBER 30, 2015

10:00 a.m. – Executive Board Meeting/Luncheon – *EBoard please RSVP by September 20, 2015 to mryan@townofgb.org*

12:30 – 1:20 p.m. – Commuter Registration

1:30 p.m. – Welcome – Andrew T. Dowd, President

1:45 – 4:45 p.m. Education Course [see enclosed list of offering]

4:45 p.m. – Committee Meetings – to be announced

5:00 p.m. – Dinner on your own

THURSDAY, OCTOBER 1, 2015

7:00 a.m. – 9:00 a.m. – Breakfast Buffet

8:00 a.m. – 9:00 a.m. – Commuter Registration

9:00 a.m. – Noon - Education Courses – morning [see enclosed education list of offerings]

Noon – 1:30 p.m. – Luncheon & Business Meeting & Overview from State Officials

1:45 p.m. – 4:45 p.m. – Education Courses - afternoon [see enclosed list of offerings]

4:45 p.m. – ‘FAST’ Meeting – [Forum about Small Towns] Join fellow small-town clerks for a group discussion

4:45 p.m. – New Clerks Meeting – An opportunity for new clerks to share concerns and raise questions!

6:00 p.m. – 7:00 p.m. – Cocktail Hour (hor d’oeuvres & cash bar)

7:00 p.m. – Dinner

FRIDAY, OCTOBER 3, 2015

7:00 a.m. – 9:00 a.m. – Breakfast buffet

9:30 a.m. – Noon – Education Course [see enclosed list of offering]

Noon – Conference Adjourns

VENDOR DISPLAYS – Wednesday Noon thru Thursday Afternoon

Mark your calendars and plan to attend the **2016 MTCA Winter Conference** - February 3rd – 5th 2016 at Devens Common Center, 31 Andrews Parkway, Devens, MA

**Massachusetts Town Clerk's Association (MTCA)
2015 Fall Conference – Springfield Sheraton Monarch Place Hotel
September 30th – October 2nd**

**EDUCATIONAL OFFERINGS
MTCA Association – Springfield Fall Conference
September 30- October 2, 2015**

**Wednesday, September 30
1:30pm - 4:30pm**

❖ **The Accidental Profession: *Professional Development and Certifications:*
the Value to You, Your Town and the process to obtain them.**

Facilitators: Danielle Sicard, CMC/CMMC- Norton Town Clerk
Jeremy P Gillis, MMC/CMMC- Easton Town Clerk

If you are looking to get your CMMC certification or have been thinking about getting your CMC or MMC, or if you just want to figure out what all those letters mean: this class is for you. Join your fellow Clerks as they navigate through the maze of applications, point systems and deadlines to help you better understand the ins and outs of professional certifications and how our conferences can help you along the way.

**Thursday, October 1st
9:00 am – 12:00 pm**



❖ **Elections- Troubleshooting and Avoiding Pitfalls (This class will be repeated in PM)**

Instructor: Michelle Tassinari, Director/Legal Counsel, Elections Division

This class will include a de-briefing on the September Primary Election. The class will also focus on the process for administering an election, including preparation and proper procedures for election day and useful tips on how to avoid pitfalls

❖ **Town Meeting**

Instructor: Atty. Lauren Goldberg, Member & Managing Atty. of the law firm Kopelman & Paige

From drafting and posting a warrant, planning for and holding the meeting, to meeting minutes and bylaw submittals, we will review the intricacies of Town Meeting. Why is a motion different than an article, what types of motions can be made, and who makes motions? What are the respective roles of the Board of Selectmen, Town Manager/Administrator, Moderator, Town Clerk, Town Counsel, and voters? What is the difference, in practice, between an open and a representative Town Meeting? Although we will talk generally about Town Meeting, each Town Meeting is unique – your experiences will greatly enhance this discussion so please review your local bylaw, charter or special act and come with questions!

www.masstownclerks.org



❖ Public Records Law

Instructor: Atty. Lauren Goldberg, Member & Managing Atty. of the law firm Kopelman & Paige

Public records in the electronic age – what does it mean for you and your municipality? How do you respond to a public records request and what can you expect if the response is appealed? We will review existing law and precedent, discuss recent enforcement efforts, and examine, in detail, any new developments. With new focus on public records compliance in the news, it is essential that you understand both your obligations and your discretion under the law.

❖ Athenian Dialogues

All the Great Prizes: The Life of John Hay from Lincoln to Roosevelt by John Taliaferro

(class is limited to 30)

Instructor: Kathleen A. Newkirk, MMC, an IIMC Approved Athenian Dialogue Facilitators with the Athenian Dialogue Society Fellow

“If Henry James or Edith Wharton had written a novel describing the accomplished and glamorous life and times of John Hay, it would have been thought implausible—a novelist’s fancy. Nevertheless, John Taliaferro’s brilliant biography captures the extraordinary life of Hay, one of the most amazing figures in American history, and restores him to his rightful place.”

Athenian Dialogues per IIMC are “conversations in which clerks share their experience and understanding as it relates to the ideas of the author and the relevance of those ideas to their public leadership role”. The above book is on the preapproved IIMC list. Participants will need to attend both the morning and afternoon sessions and submit a timely learning assessment in order to obtain 3 credits for their CMC or MMC certifications.

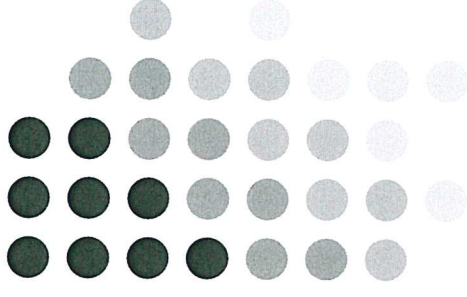
❖ Panning for Gold: The Basics of Grant-Writing

Presenters: Rachel Onuf, Roving Archivist for the Commonwealth & Adjunct Professor at Simmons School of Library & Information Science-West
Gregor Trinkaus-Randall, Preservation Specialist at the MA Board of Library Commissioners
Veronica Martzahl from State Archives

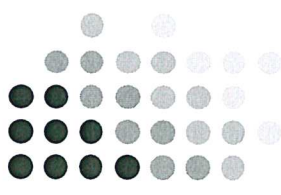
In this interactive course, you will learn the basics of grant-writing including proper structure and flow of the narrative, creating a project plan, budget, and measurable objectives. We will discuss how to identify and prioritize your needs, how to describe these needs in the narrative, and how to find a grant program that will be a good match. You will then divide into small groups to critique a couple of sample grant proposals that have been submitted to the Roving Archivist program. This course will give you the building blocks to apply for a grant from the Commonwealth, federal government, or a private foundation!

Town Council Meeting September 1, 2015

Braintree Commission on Disabilities

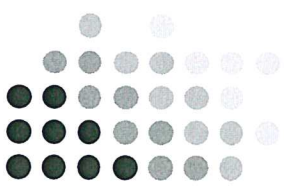


Introductions of Braintree Commission on Disabilities Board Members



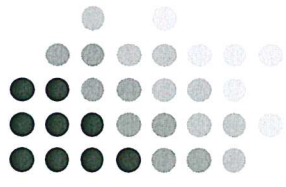
- **Introduction** – Commission on Disabilities purpose, function within the town, introduction of current members.
- **Members:**
 - Barbara Tennison – Chairperson
 - Lynn Vaillancourt
 - Robin Torpey
 - Jennifer Shaw
 - Judy Coletta
 - Crystal Evans-Pradhan
 - Paul Wasil

Purpose of Town Council Meeting September 1, 2015



We are here tonight to ask the Mayor and the Town Council to help us do what the commission was created to do:

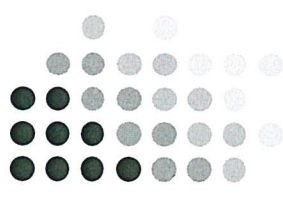
- To advocate for individuals with disabilities.
- To ensure that people with disabilities have equal access to their community, i.e. parks, restaurants, public buildings, sidewalks,
- To promote the goal of a barrier free environment, access for all.
- To ensure the inclusion of people with disabilities in all of our town's activities.
- To bring to light issues within the town that may/may not have been previously addressed.
- To respectfully request that a member of the BCOD be present for any proposed upcoming, present, or future project planning to ensure that all Architectural Access Board (AAB) and/or American with Disabilities Act (ADA) guidelines are met . The state building codes go hand in hand with AAB/ADA guidelines.



Accomplishments of BCOD

- Assisted with funding to provide sidewalk curb cuts for a child so he could wheel himself to school safely with his siblings.
- Purchased accessible playground equipment at the Hollis and Highlands playgrounds.
- Funding for the remodeling of bathrooms to make them accessible at Pond Meadow Park and the Council on Aging.
- Purchased 911 magnets to distribute to residents.
- Funding for Special Education Parent Advisory Counsel for speakers.
- Funding for the police department to upgrade their 911 system to notify them when a 911 call comes in, if there is a person living in a home that may be physically, mentally, developmentally challenged or medically fragile.
- Contributed to the cost of the Parks and Recreation Program “Lose the Training Wheels.”

Commission on Disabilities Matters:



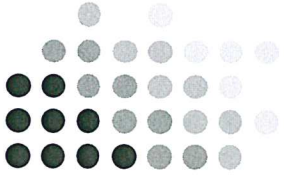
1. Transition Plan
 - Old Thayer Library
 - Town Hall Entrance
 - East Middle School
2. Parks and Recreation
 - Charlotte Rose Playground
 - Highlands Playground
 - Park Maintenance
3. Streets and Roads
 - Sidewalks
 - Snow removal
 - Road improvements



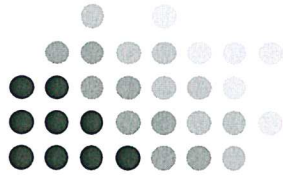
Future Initiatives and Planning

- New Facebook Page.
- Potential snow removal program initiative for those who are physically unable to clear a path to receive medical treatment and for individuals who are homebound.
- Wheelchair Accessible Taxi services within the town.
- Continue involvement with new town building and construction initiatives.
- BEMA – How does the various town departments combine their lists of individuals who may require assistance during an emergency or catastrophe, i.e. Fire, Police, and BEMA? When will our emergency shelters be brought up to ADA/AAB compliance to meet the needs of all residents of the town?
- ADA Coordinator – Creation of a dedicated ADA Coordinator for the town.
- Social Media campaign to improve accessibility in our community to keep everyone safe when traveling along sidewalks, i.e. initiative to stop the illegal parking at curb cuts, ramps, and on sidewalks. Educate our community on how to place trash barrels on trash pick up day so that the sidewalks do not become impassable. The residents of this town are very active and are utilizing our sidewalks all the time; they like to walk, run, children walk to school, families walking with strollers, individuals with wheelchairs, canes, and walkers. We need to keep our sidewalks clear of tree branches, overgrown shrubs and grass.

ADA Playground Standards



| ADA STANDARD | COMPLIANT |
|--|-----------|
| Public Playgrounds must have an accessible route to the play area preferably 60" wide, maximum running slope of 1:20 and maximum cross slope of 1:48. The route to the play area is an accessible route. Minimum width is 36" and the maximum slope is 1:12. Any running slope over 1:20 or 5% is treated as a ramp with handrails and landings. (See Chapter 4, Accessible Routes, DOJ ADA 2010) | |
| Within the play area, the safety surfacing must comply with ASTM F 1292-99 or -04 Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment when located within the use zone for proper impact attenuation. All accessible routes within the play area, clear floor or ground spaces at play components required to be accessible and turning spaces must comply with ASTM 1951-99 Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment. | |
| Within the play area, the accessible route must be at least 60" wide, with a maximum running slope of 1:16, a maximum cross slope of 1:48 and a minimum of 80" overhead clearance. For small play areas of less than 1000 square feet in total size, the accessible route must be at least 44" wide, with a maximum running slope of 1:16, a maximum cross slope of 1:48 and a minimum of 80" overhead clearance. | |
| Composite play structures that include a transfer system as a means of access must meet the following criteria: <ul style="list-style-type: none"> • Transfer platform height must be between 11-18" with clear minimum width of 24" and depth of 14" • Transfer steps are maximum of 8" high and include handholds to aid movement. • Minimum 30" by 48" transfer space must be provided adjacent to the transfer platform. The 48" long minimum dimension of the transfer space shall be centered on and parallel to the 24" long minimum side of the transfer platform. The side of the transfer platform serving the transfer space shall be unobstructed. | |
| Composite play structures that include ramps that connect elevated play components as a means of access must meet the following criteria: <ul style="list-style-type: none"> • Elevated ramps must be at least 36" wide, maximum running slope of 1:12 and maximum length of 144" (12 feet) before providing a landing. • Elevated ramps must include handrails on both sides meeting hand-gripping criteria and with a height between 20-28" . Elevated ramps with handrails, barriers beyond the ramp edge and barriers not extending within 1" of the ramp surface must have edge curbing at least 2" high for the entire ramp length. No handrail extensions are required. • When elevated ramps change in direction, a 60"x 60" minimum level landing must be provided at both the top and the bottom of each run. | |



ADA Playground Standards

| | |
|--|--|
| Elevated ramps and accessible platforms attached at ramp levels shall have no openings on surface greater than 1/2" and vertical change in level less than 1/4" or up to 1/2" with a 2:1 beveled edge. | |
| Wheelchair – accessible platforms require guardrails or barriers. Openings for access/egress play components shall be narrowed to 15" or less. | |
| Advisory Reach ranges for accessible manipulative and interactive sensory and communicative components must have reach range heights between 16-44" for 9-12 year old, 18-40" for 5-8 year old and 20-36" for 3-4 year old user age groups. | |
| Ground level upper body equipment intended for use by a person using a mobility device must be less than 54" above protective surfacing. | |
| Ground level play tables and components for users over 5 years old must have a minimum vertical knee clearance of at least 24" high, a minimum depth of at least 17" deep and a minimum width of at least 30". The maximum top of playing surface shall not exceed 31". | |
| Composite play structures must have elevated accessible routes by ramp and or transfer systems to connect at least 50% of the elevated play components. Large composite play structures with more than 20 elevated play components must have at least 25% of the elevated play components connected by elevated ramps. | |

HANDICAP PARKING FINES ACCOUNT

| Date | Fiscal Year | Project | Amount Donated |
|----------------|-------------|--|----------------|
| 2005 | 05 | Pond Meadow Park/Funding for Accessible Bathroom | \$2,000 |
| October 2005 | 06 | Parks & Recreation/ Hollis Playground RockNGlide Ship | \$7,860 |
| December 2005 | 06 | Granite for Ramps/Curb Cuts on Walnut Street for Flaherty School Walkers | \$4,797.91 |
| March 2007 | 07 | Council on Aging/Funding for Accessible Bathroom | \$2,000 |
| July 2007 | 08 | EMT Alert Magnets | \$303 |
| December 2007 | 08 | School Dept./SEPAC | \$1,000 |
| December 2007 | 08 | Police Dept./911 Software to assist in identifying people with disabilities in their homes during an emergency | \$6,500 |
| May 2011 | 11 | Community/Inclusion Awards | \$250 |
| May 2011 | 11 | Parks & Recreation Program/ Lose the Training Wheels for Children with Disabilities | \$1,500 |
| January 2012 | 12 | Parks & Recreation/ Highlands Playground RockNGlide Ship | \$16,299 |
| May 2012 | 12 | Community/Inclusion Awards | \$250 |
| May 2013 | 13 | Community/Inclusion Awards | \$350 |
| September 2013 | 14 | B.A.S.E./Special Needs Equipment for Students | \$3,200 |
| November 2014 | 15 | Community/ MOD Training/Refreshments | \$353.77 |
| May 2015 | 15 | Parks & Recreation/Sunset Lake Water Wheels Floating Beach Chair | \$1,790.41 |



Massachusetts Office on Disability

One Ashburton Place, Room 1305

Boston, MA 02108

Charles D. Baker, Governor
Karyn E. Polito, Lt. Governor
David D'Arcangelo, Director

[617] 727-7440 V/TTY
[800] 322-2020 V/TTY
[617] 727-0965 FAX
Web: <http://www.mass.gov/mod>
Jeff.Dougan@state.ma.us

MUNICIPAL COMMISSIONS ON DISABILITY

Commissions on Disability are established by vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities or the community.

Commissions:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five, no more than nine members chosen by the Board of Selectman or Town Manager (in a town) and the Mayor or City Manager (in a city). The majority must be persons with disabilities and one may be a member of the immediate family of a person with a disability. One must be an elected or appointed municipal official.

Applicable Laws:

- MGL chapter 40 section 8J, gives municipalities the authority to establish commissions;
- Section 504 of the Rehabilitation Act of 1973 requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal money;
- Amendment Article 114 of the Massachusetts Constitution prohibits discrimination on the basis of disability under any service or program within the Commonwealth;
- The regulations of the Architectural Access Board require access in newly built and renovated buildings.

Sample Operating By-Laws

_____ COMMISSION ON DISABILITY

(a) ARTICLE I: TITLE AND PURPOSE

1. The name of this commission is the Commission on Disability (hereafter referred to as the Commission).
2. The purpose of the Commission is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the City/Town of _____ - for people with disabilities.
3. The purpose of these by-laws is to establish principles and procedures for the governance of this Commission.

(b) ARTICLE II: POWERS AND DUTIES

1. Research local problems of people with disabilities.
 2. Coordinate the activities of other local groups organized to meet the needs of people with disabilities.
 3. Review and make recommendations about policies, procedures, services and activities of departments and agencies of the City/Town of _____ - as they affect people with disabilities.
 4. Work in cooperation with the departments and agencies of the City/Town of _____ - to bring about maximum participation of people with disabilities.
 5. Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities and ensure that appropriate regulations are adopted and enforced pursuant to such legislation.
 6. Encourage public awareness of disability issues.
 7. Provide information, referral, guidance and advice to individuals, businesses, organizations and public agencies in all matters pertaining to disability.
 8. Recruit and recommend prospective Commission members to the Mayor. At least one month prior to making recommendations, the Commission shall solicit nominations and ensure that said nominations reflect different disabilities.
-
9. File an annual report, which shall be printed in the City/Town report.

10. Receive gifts of property, both real and personal in the name of the City/Town subject to the approval of the city council; such gifts to be managed and controlled by the Commission.
11. Take such action as the Commission considers appropriate to ensure the equal access status of persons with disabilities.

(c) ARTICLE III: MEMBERSHIP

1. The Commission shall consist of seven members appointed by the Mayor. The majority of members shall consist of people with disabilities. One of the members may be a member of the immediate family of a person with a disability. One member shall be either an elected or appointed official of the City/Town.
2. The members shall initially serve the following terms:
 - a. Two members shall serve one-year terms.
 - b. Two members shall serve two-year terms.
 - c. Three members shall serve three-year terms.

After the initial term, all members shall serve three-year terms.

3. Resignation shall be made by notifying the chairperson in writing.
4. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Mayor that he/she be removed from the Commission, unless any or all absences have been excused for good cause by the chairperson. Good cause shall include, but not limited to: illness, a death in the family, weather, and professional responsibilities.
5. The Mayor shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.
6. Any members of said Commission may, after a public hearing, is so requested, be removed for cause by the appointing authority.
7. Members shall get the approval of the Commission prior to making statements or joining activities on behalf of the Commission.
8. All members shall have full voting rights.

(d) ARTICLE IV: OFFICERS

1. The officers shall include a chairperson, vice chairperson, secretary and treasurer.
2. Officers shall be elected annually by the majority vote of the Commission.

(3)

034-15

3. One member may hold more than one office.

4. Duties:

a. The chairperson shall:

- i. Develop the agenda in coordination with the other officers;
- ii. Preside over all meetings;
- iii. Appoint subcommittees as needed;
- iv. Authorize expenditures as needed.

b. The vice chairperson shall perform all the functions of the chairperson in his/her absence.

c. The secretary shall;

- i. Keep records of all meetings attendance, minutes, and correspondence.
- ii. Post notice of all meetings forty-eight (48) hours before each meeting at the City/Town clerk's office;
- iii. Send notice of meetings and minutes of the prior meeting to the members at least fourteen (14) days prior to the meeting.

d. The treasurer shall:

- i. Keep records of all financial matters;
- ii. Develop a budget in coordination with the Commission;
- iii. Prepare a financial statement for inclusion in the annual report.

(e) ARTICLE V: MEETINGS

1. Regular meetings shall be held at least six (6) times a year.
2. A quorum shall consist of four (4) members.
3. Meeting minutes will be amended and approved at the next meeting.
4. Special meetings can be called by the chairperson or by any three (3) members.
5. Decisions will be made by a majority of those members present, unless where otherwise noted in these by-laws.
6. Notice of meetings will be sent to the members at least fourteen (14) days prior to the meeting.
7. Meetings shall adhere to Robert's Rule of Order.

(f) ARTICLE VI: AMENDMENTS

1. These by-laws may be amended at any duly constituted meeting of the Commission by two-thirds vote of those members present provided written notice of the proposed amendment is distributed to each member at least fourteen (14) days prior to the meeting.

GOALS

(a) INSURE MUNICIPAL SERVICES, PROGRAMS, MEETINGS AND EMPLOYMENT OPPORTUNITIES ARE AVAILABLE AND ACCESSIBLE TO PERSONS WITH DISABILITIES.

- Meet with appropriate staff: the Americans with Disabilities Act Coordinator, Select Board, Mayor, City/Town Manager, Planning Staff, Building Inspector, and Department of Public Works to review regulations, priorities, make a plan and set timelines.
- Survey all municipal buildings, facilities, and sidewalks for access.
- Assess each service, program and activity for physical and communication accessibility and to make sure policies are not discriminatory.
- Review grievance procedures and notification of rights.
- Prioritize what needs to be done (especially the expensive building renovations).
- Be aware of new programs, services or construction. Work with those involved to make sure they meet the needs of people with disabilities; e.g. be a member of the school building committee.

Some examples:

- All public meetings should be held in accessible locations.
- Emergency services, such as police and fire departments, should have telecommunication devices for people who are deaf (TTY's are devices which enable persons who are deaf to communicate by telephone).
- Written material, such as town reports and newsletters, should be available on tape and in Braille upon request for people who are visually impaired.
- Announcements about municipal activities, such as recreational programs, meetings, public health programs, and employment opportunities, should be publicized on the radio, cable TV, as well as in print.
- Sign language interpreters should be available at meetings and activities upon request.
- Libraries should have books on tape and in large print plus mail or home delivery for people who are shut-in.

(b) INSURE BUSINESSES, AGENCIES, AND ORGANIZATIONS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES.

- Survey businesses, agencies and organizations for communication and architectural access. Work with owners and managers to encourage compliance with the Americans with Disabilities Act, the Architectural Access Board's regulations and other disability laws.

- Educate owners and managers about the needs of persons with mobility, hearing, visual, cognitive and other disabilities.
- Introduce them to federal IRS \$15,000 tax deduction for barrier removal and \$5,000 tax credit for ADA compliance.

(c) ENCOURAGE MOBILITY

- Survey all parking lots that are open to the public for HP designated spaces. Work with owners and the building inspector to bring the lots into compliance with AAB and ADA regulations and municipal by-laws.
- Review on-street HP designated parking and curb cuts. Work with local officials to increase both if necessary.
- Propose an ordinance/by-law that allow police to ticket cars on privately owned, publicly used parking lots and that increases fines for violations of HP parking.
- Evaluate transportation needs. Work with Regional Transit Authority, Council on Aging, municipal officials to increase (or to provide!) accessible transportation.

Some examples:

- Offer a program that gives discounts on taxi rides.
- Contract with a local van company to provide rides.
- Council on Aging and other transportation providers must also provide accessible transportation.

(d) INCREASE ACCESSIBLE AFFORDABLE HOUSING.

- Work with housing authority to increase adaptable and accessible housing.
- Meet with local builders/developers to encourage development of accessible and adaptable housing.

(e) ALL STUDENTS WITH DISABILITIES SHOULD RECEIVE AN EDUCATION COMPARABLE TO THAT GIVEN TO NON-DISABLED STUDENTS IN THE LEAST RESTRICTIVE, MOST INTEGRATED SETTING.

- Evaluate programs for students with disabilities for mainstreaming and integration.
- Evaluate schools for architectural accessibility.

-
- Introduce a disability awareness program in the schools.

(f) BE A RESOURCE: PROVIDE INFORMATION AND REFERRALS ON A BROAD RANGE OF DISABILITY ISSUES.

- Advertise the Commissions existence. Post the community with flyers or brochures, put articles in the newspaper, us cable TV and radio.
- Establish a way for people to contact the Commission. Either set-up an office and phone answering machine or assign one commission member to be the contact person.
- Develop a file of information.

(g) WORK TO PASS FEDERAL AND STATE LEGISLATION WHICH WILL INCREASE THE QUALITY OF LIFE FOR PEOPLE WITH DISABILITIES (LOBBY).

- Write, call, meet with legislators.
- Testify at public hearings.

(h) ADVOCATE FOR THE RIGHTS OF INDIVIDUALS WITH DISABILITIES AND DISABILITY GROUPS.

- Set up and publicize a mechanism for people to contact the commission with their individual concerns.
- Work with appropriate officials and organizations to resolve situations.
- Work with the Massachusetts Office on Disability Client Services Program.

(i) EDUCATE THE PUBLIC ABOUT DISABILITY ISSUES.

- Develop good relationships with newspapers, TV and radio stations (start a column or regular show, write press releases about your work).
- Initiate awareness program in the schools.
- Speak to civic organizations such as Lions, Girl Scouts, Chamber of Commerce, and Rotary.
- Hold disability awareness workshops.

(j) OTHER CONSIDERATIONS.

- Determine how many people in your community have a disability (Massachusetts census figures indicate 17% of the population as having a disability; that percentage might be higher if you have a large elderly population).
- Find out what peoples needs are. Conduct a needs survey or hold a public hearing.
- Contact organizations in your community with similar concerns; veteran's office, council on aging, special needs parents advisory committee. Work together on common issues.
- Establish an advisory committee, friends of the commission or associate membership to increase support.

- Get organized. Adopt operating procedures, establish long and short-range goals, break into subcommittees or assign tasks to individuals to be accomplished between meetings.
-

Chapter 2.730

COMMISSION ON DISABILITIES

2.730.010. Establishment.

2.730.030. Powers, in general.

2.730.020. Term of office.

[HISTORY: Adopted by the Town Council of the Town of Braintree 5-18-2010 by Ord. No. 09-053. Amendments noted where applicable.]

2.730.010. Establishment.

There shall be a Commission on Disabilities, consisting of at least five and no more than nine members, all of whom are appointed by the Mayor. A majority of the persons appointed shall consist of persons with disabilities, one member shall be a member of the immediate family of a person with a disability, and one member shall be either an elected or appointed official of the Town.

2.730.020. Term of office.

The members of the Commission on Disabilities shall serve and indefinite term.

2.730.030. Powers, in general.

- A. The Commission shall support actions to cause the full integration and participation of people with disabilities in the Town.
- B. The Commission shall research local problems of people with disabilities; advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts Office on Disability; review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and coordinate activities of other local groups organized for similar purposes.
- C. The Commission may review and offer recommendations about policies, procedures, services, activities and facilities of departments and boards of the Town as they affect people with disabilities.
- D. The Commission shall provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability, and coordinate the activities of other local groups organized for similar purposes.

2.730.030

MANUSCRIPT
BRAINTREE CODE

2.730.030

- E. The Commission may draft rules and regulations concerning disability issues and needs, which shall be submitted to the Mayor for consideration.
- F. The Commission may receive gifts of property, both real and personal, in the name of the Town, subject to the approval of the Mayor and Town Council, such gifts to be managed and controlled by said Commission for the purposes of this section.

03/2012

2.730:2

03 - 01 - 2012

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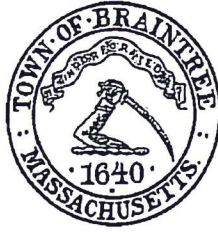
034-15

Massachusetts General Law

Chapter 40: Section 22G Funds received from fines for handicap parking violations; deposits in account; expenditures.

Section 22G. Any city or town which has accepted the provisions of section eight J is hereby authorized to allocate all funds received from fines assessed for violations of handicap parking in said city or town to the commission on disabilities.

Funds so received shall be deposited by the city or town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the city or town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities in accordance with the accepted procedures of the city or town for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen. The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.



Braintree Town Council

ORDER NO: 14 012 (1)

DATE FILED: FEBRUARY 20, 2014

REQUEST OF: THE MAYOR

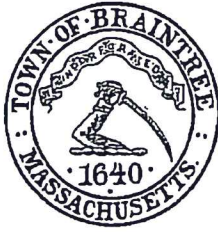
UPON THE REQUEST OF HIS HONOR, THE MAYOR, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

That the Town vote to adopt the new parking penalty schedule presented below and as amended by the Committee on Ordinance & Rules under the direction of the Director of Municipal Finance as authorized by The Massachusetts General Law Chapter 90 Section 2A effective April 1, 2014.

| <u>Fine</u> | <u>Current Penalty</u> | <u>New Penalty</u> |
|--------------------------------------|----------------------------|------------------------|
| Handicap parking zone | 100 | 150 |
| Blocking handicap curb cut | | 150 |
| In a bus stop | | 100 |
| Within 10 feet of a fire hydrant | 50 | 50 |
| Fire station entrance | 15 | 25 |
| Fire lane | 15 | 25 |
| Within an intersection | 15 | 15 |
| Interfering with snow removal | 15 | 15 |
| On a crosswalk | 15 | 25 |
| On a sidewalk | 15 | 25 |
| Blocking public or private driveway | 15 | 25 |
| Wrong direction one way street | 15 | 15 |
| Within 20 feet of an intersection | 15 | 15 |
| Restricted area | 15 | 15 |
| Overtime parking | 15 | 15 |
| Double parking | 15 | 15 |
| Right wheels more than 12" from curb | 15 | 15 |
| On a bridge | 15 | 15 |
| Overnight parking | 5 | 5 |

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034-15



Braintree Town Council

14 012 (1)

PAGE 2

YEAS: Bowes, Hume, Kokoros, Mullaney, Owens, Powers, Ryan

NAYS: NONE

ABSENT: Clifford, O'Brien

PASSED IN COUNCIL: March 18, 2014

PRESENTED TO MAYOR: March 19, 2014

A True Record, Attest:

March 25, 2014

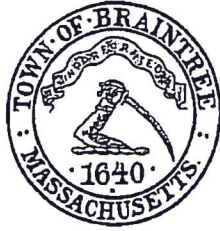
Date Approved

Debra J. Starr
Debra J. Starr, Assistant Town Clerk

Joseph C. Sullivan
Joseph C. Sullivan, Mayor

(13)

034-15



Braintree Town Council

ORDER NO: 14 012 (2)

DATE FILED: FEBRUARY 20, 2014

REQUEST OF: THE MAYOR

UPON THE REQUEST OF HIS HONOR, THE MAYOR, THE TOWN OF BRAintree, THROUGH THE BRAintree TOWN COUNCIL, IT IS SO ORDERED:

That the Town vote to adopt the new parking ticket late fee schedule presented below under the direction of the Director of Municipal Finance as authorized by The Massachusetts General Law Chapter 90 Section 2A effective April 1, 2014.

| <u>Fine</u> | <u>1ST Late Fee</u> | <u>2ND Late Fee</u> | <u>Non- renewal Fee</u> |
|--------------------------------------|-------------------------|-------------------------|---------------------------------|
| Handicap parking zone | 10 | 15 | 20 |
| Blocking handicap curb cut | 10 | 15 | 20 |
| In a bus stop | 10 | 15 | 20 |
| Within 10 feet of a fire hydrant | 10 | 15 | 20 |
| Fire station entrance | 10 | 15 | 20 |
| Fire lane | 10 | 15 | 20 |
| Within an intersection | 10 | 15 | 20 |
| Interfering with snow removal | 10 | 15 | 20 |
| On a crosswalk | 10 | 15 | 20 |
| On a sidewalk | 10 | 15 | 20 |
| Blocking public or private driveway | 10 | 15 | 20 |
| Wrong direction one way street | 10 | 15 | 20 |
| Within 20 feet of an intersection | 10 | 15 | 20 |
| Restricted area | 10 | 15 | 20 |
| Overtime parking | 10 | 15 | 20 |
| Double parking | 10 | 15 | 20 |
| Right wheels more than 12" from curb | 10 | 15 | 20 |
| On a bridge | 10 | 15 | 20 |
| Overnight parking | 10 | 15 | 20 |

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034-15



Braintree Town Council

14 012 (2)

PAGE 2

YEAS: Bowes, Hume, Kokoros, Mullaney, Owens, Powers, Ryan

NAYS: NONE

ABSENT: Clifford, O'Brien

PASSED IN COUNCIL: March 18, 2014

PRESENTED TO MAYOR: March 19, 2014

A True Record, Attest:

MARCH 25, 2014
Date Approved

Debra J. Starr
Debra J. Starr, Assistant Town Clerk

Joseph C. Sullivan
Joseph C. Sullivan, Mayor

(15)

034-15

COMMISSION ON DISABILITIES

August 3, 2015

AGENDA

Current:

- Approval of July 6, 2015 minutes
- Telephone and Office Report for July
- Budget/Monthly Accounting Reports/Request for Funds

Town Buildings

Transition Plan - Updates

**Town Hall - Update on suggested changes to Architectural Plans

Bargmann Hendrie + Archetype, Inc.

Town Hall Exterior Repair/Preservation and Accessibility

Building Condition Assessment and Report

Old Thayer Library - Update on construction

Daugherty Gym - Update on construction

BEMA - Need to look at what other towns/cities are doing to combine lists of individuals with special needs and/or medical needs

High School Pool/Rink - Newly named the Braintree Athletic Complex, request for Architectural Plans

Towns Parks & Recreation

Highlands Playground - Status on replacement part for RockNGlide and swing harness

Hollingsworth Playground - plan for walk through

Creation of sign for the RockNGlide/Purpose of Ride – Update

Conservation Land Access/Eaton Pond

Streets and Roads

SeeClickFix App - app for a way in which residents can report problems around town, i.e. pot holes, curb cut issues and etc. or create spreadsheet for keeping track of problem areas around town

Snow Removal - On going

The Home Aid Project - Snow Removal for residents

Hancock/Frederick Street AAB complaint regarding the inaccessibility of the sidewalks, curb cuts and ramps during construction of street

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034-15

Miscellaneous

Handicap Parking Program - Update

Fraudulent use of HP placard and/or plate - Update

Disability Handicap Indicator Program - Update

Silent 911 - Update

Braintree Housing Authority Walk Through - Update

Advertising of HP Funds - Looking for other avenues of advertising; article published in the Forum, Patch, SEPAC website, C.O.D. website

Wheelchair Accessible Taxi - Update

Town Council Presentation moved to Tuesday, September 1, 2015 and request to have Sept. 1st meeting moved to Monday, September 8th.

Creation of Facebook Page - Status

MOD Statewide Meeting for members of local Commissions on Disabilities
August 5, 2015 10:30AM – 12:30PM

Thayer Library Complaint – Printer moved from an accessible printer station to an inaccessible printer station

Zoning Board – July 28th - Update

Meeting with Mayor Sullivan, Aug. 5th – to discuss the creation of an ADA Coordinator position, and to also discuss the many open items on the agenda

Voting

Election Ballot Call Button – Update

Polling – Attorney General's Office/ADA Study: follow up with Jim Casey regarding the modifications that need to be completed at a number of polling locations by the next town election.

New

Additional Open Meeting Law Amendment 8/11/15
8/5/15 meeting with Mayor Sullivan, Mike Coughlin, Chief of Staff & Operations and Chris Griffin, Asst. to the Mayor/Liaison to the commission
Social Media campaign to improve accessibility in our community



034-15

COMMISSION ON DISABILITIES

JULY 6, 2015 MINUTES

In Attendance:

Board members:

Barbara Tennison, Robin Torpey, Judy Coletta,
Lynn Vaillancourt, Crystal Evans-Pradhan, Jennifer Shaw
Jack Gauthier

Building Dept. Liaison:

Mayor's Liaison:

Absent

Meeting Opened:

6:00PM

Meeting Adjourned: 7:45PM

Approved:

June meeting notes: Motion to Approve 6-0-1

June Phone Calls Received:

No calls

Town Buildings:

Transition Plan:

Still awaiting final approval for a working document;
budget, funding sources, timeline, priority list

Town Hall/Old Thayer Library:

Christine Stickney presented plans for both the Old Thayer library & the town hall being connected by a campus. Christine listened to our recommendations & concerns regarding the length and grade of the route from the HP parking area to the entrance to the town hall. Christine stated that she would go back to the architect and see if there are any modifications that can be done within the route to shorten the distance

Daugherty Gym:

No update

BEMA:

No update

Braintree (Sports) Athletic Complex

Plans are still being developed, the commission will contact the developer to make sure we are kept in the loop and available to review architectural plans

Building Dept. Permit Training:

Jennifer Shaw attended training. She stated that Russ Forsberg wants to hold a separate meeting with C.O.D. to get more input for what is needed for permits to be done correctly

C.O.D.
July 6, 2015 Minutes

Town Parks & Recreation:

| | |
|------------------------------|---|
| Charlotte Rose Playground: | Barrier was not removed; but an opening was installed to allow for accessibility |
| Highlands Playground: | No update |
| Hollingsworth Playground: | No update |
| Water Wheels Beach Chair: | Per Nelson Chin, lifeguard stated that it hasn't been used yet. But Crystal had heard that there have been inquiries into its use |
| Conservation Land/Eaton Pond | Crystal has been working with the Conservation committee members to ensure that the access to this land is fully accessible |

Streets and Roads:

| | |
|-----------------------|----------------------------|
| Snow Removal: | No update |
| The Home Aid Project: | No update |
| ClickFix App | Awaiting update from Chris |

Miscellaneous:

| | |
|---------------------------------------|--|
| Handicap Parking Program | No update |
| Fraudulent use of HP placard | No update |
| Disability Handicap Indicator Program | No update |
| Silent 911 Status Update | No update |
| Braintree Housing Authority | No update |
| Wheelchair Accessible Taxi | No update |
| Town Council Meeting Presentation | Moved to August 11, 2015 |
| Facebook | Crystal is creating a page. Board needs to request approval from the Mayor to use Town Logo and page |
| Legal Seafood Door | Door was adjusted on June 2nd |

(19)

034-15

Voting:

The Secretary of State Election Division
Accessibility Study

Jim Casey shared the report via his own report.
Jim Casey is working with Tom Whalen to make
sure all polling locations identified as needing
updates or modifications are completed by Sept.'s
election.

Voter Tabulation Demonstration

No one attended

Election Ballot Call Button:

Waiting for an official request from Jim Casey
before we vote to purchase equipment.

New Business:

Thayer Library curb that was blocking ramp was fixed on June 2, 2015

The C.O.D. received a copy of an AAB complaint regarding the Hancock/Frederick Street
intersection that is barring anyone in a wheelchair to safely travel during road construction. Curb
cuts and ramps were temporarily installed, but did not meet code and made it unsafe to travel for
anyone in a wheelchair or a walker not paying attention to the ramp that cuts into the sidewalk

Thayer Library Complaint: the accessible printer station on main floor was moved to an area
which makes the printer harder to access for anyone with the inability to reach it. Barbara
Tennison spoke to the Director of the Library, Terri Spano. Terri is working with Barbara to make
the printer station area more accessible to all.

September's meeting will be held on Tuesday, the 1st, due to the Monday holiday 6-0

C.O.D. monthly meetings will be begin at 6:00 P.M officially on August 3rd 6-0

NEXT MEETING AUGUST 3, 2015-JOHNSON HALL

(RST/BT 7/13/2015)

(20)

034-15

Beta Test Soliciting Process Between Braintree and Comcast

Chapter 5-565 - PEDDLING AND SOLICITING

SECTION 5.565.010 Peddling of Goods, Wares and Merchandise-License Required

No person shall hawk or peddle goods, wares or merchandise within the limits of the Town, except as otherwise authorized by law, without first obtaining a license therefor from the Commonwealth of Massachusetts in accordance with the provisions of Chapter 101 of the General Laws. (ATM 5-10-2005 Art. 37 (part); prior code § 99-1)

SECTION 5.565.020 Transient Vendors-Local License Required

A person licensed by the Commonwealth of Massachusetts as a transient vendor under the provisions of Chapter 101, Section 3 of the General Laws shall, before making any sales of goods, wares or merchandise within the limits of the town, make application to the Board of License Commissioners for a local license; such local license shall be subject to such reasonable rules and regulations and to the payment of a license fee in accordance with the provisions of Chapter 101, Section 5 of the General Laws. (Prior code § 99-3)

SECTION 5.565.030 Hawkers and Peddlers-Permit Required

A person licensed by the Commonwealth of Massachusetts as a hawker or peddler under the provisions of Chapter 101, Section 22 of the General Laws shall, before making any sale of goods, wares or merchandise within the limits of the Town, apply for a permit from the Board of License Commissioners; such permit shall be subject to such reasonable rules and regulations as may from time to time be made by the Board of License Commissioners. (Prior code § 99-4)

SECTION 5.565.040 Temporary Licenses for Charitable Organizations and Veterans

The Board of License Commissioners may from time to time make reasonable rules and regulations governing the granting of temporary licenses to any organization engaged exclusively in charitable work, or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection for the sale of flags, badges, medals, buttons, flowers, souvenirs and similar small articles, in accordance with the provisions of Chapter 101, Section 33 of the General Laws. (Prior code § 99-6)

SECTION 5.565.050 Solicitation and Canvassing

A. Purpose.

The purpose of this ordinance is to protect the citizens of Braintree from crime, undue annoyance and fraudulent door-to-door solicitors and canvassers by requiring those who wish to engage in such activity to register with the Braintree Police Department.

B. Definitions.

1. "Solicitation or canvassing" means traveling by foot, motor vehicle or any type of conveyance, from place to place, from house to house, or from street to street, whether for salary, commission or other remuneration, whether on behalf of oneself or another person, business, firm, corporation, organization or other entity, and (a) selling, leasing or taking orders for the sale of any goods, wares, merchandise or services whatsoever, including, but not limited to, books, periodicals, food, and home improvement services, or attempting to so sell, lease or take orders, whether or not advance payment on such sales is collected; or (b) seeking or requesting donations of money, goods or services for any for-profit entity or nonprofit entity; even if the original solicitation is made in writing, by telephone or any electronic communication;
2. "Residential property" includes without limitation each individual dwelling unit.

3. Exempted entities include registered religious organizations, political information drops, social groups and other non-commercial community groups.

C. Prohibition and Requirements.

1. No person shall engage in solicitation or canvassing in or upon any private residential property in the Town of Braintree, and no business, firm, corporation, organization or other entity shall arrange for any person to engage in solicitation or canvassing in or upon any residential property, without first registering with the Chief of Police not less than **ten business days** before commencing such solicitation or canvassing and obtaining from the Chief of Police a certificate evidencing such registration.
2. Persons engaged in solicitation or canvassing shall **"prominently display around their neck a florescent orange (5"x7") lanyard, visible at all times on the chest area. The solicitor or company is responsible to provide said lanyard and create an identification card (insert into lanyard). The identification card will contain an 1) identification number (assigned by the company or entity soliciting), 2) company name, 3) solicitor's name, 4) signature, 5) current photo, 6) phone number and name of company official responsible for the operation in case of emergency or other immediate contact needs, 7) start date and expiration date (not to exceed 30 days), and shall have the approved 8) Braintree Police certificate of registration inserted in back of the identification card, and shall produce such certificate upon request. Failure to wear the provided lanyard shall result in a violation of \$300 per individual and \$2000 per primary employing entity. If a fine is issued to any party or entity, said party will be prohibited from soliciting in the Town of Braintree until the fine is paid.)**
3. Immediately upon encountering an occupant of any residential property, a person engaged in

solicitation or canvassing shall present such certificate of registration for Inspection and inform the occupant of the nature and purpose of his/her business, and If he/she is representing an organization, firm, or other entity.

4. Each person engaged in solicitation or canvassing in or upon any residential premises shall immediately leave such premises upon the request of the occupant.
5. No person shall engage in solicitation or canvassing in or upon any residential property upon which is displayed a sign prohibiting trespassing, solicitation or canvassing.
6. No person engaging in solicitation or canvassing shall misrepresent in any way his/her true objective, status or mission or that of any organization on behalf of which he/she is so engaged.
7. Persons engaging in solicitation or canvassing shall comply with all federal, state and local laws and regulations, including but not limited to consumer protection laws such as Chapters 93, 93A and 2550 of the Massachusetts General Laws. **Braintree Police shall provide all applications with Chapter 5-565 - PEDDLING AND SOLICITING and highlight Section 5.565.50**
- 8. Anyone applying to solicit must provide a direct contact name and telephone number of the direct supervisor or person responsible for the management of all those soliciting. This individual must be accessible via phone at all times should issues arise.**
- 9. Unsolicited – No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into a motor vehicle, which is parked on any street, lane, parking lot or other public place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority (Ref. G. Penalty).**

D. Registration.

1. Application. Persons seeking registration certificates in accordance with this ordinance shall apply therefore not less than **ten business days** before commencing solicitation or canvassing in the Town of Braintree. Such application shall be signed under the penalties of perjury and shall contain the following information on a form provided by the Chief of Police:
 - a. Applicant's name, home address and telephone number;
 - b. Name of applicant's business, firm, corporation, organization, or other entity represented, business address and telephone number;
 - c. Applicant's date of birth;
 - d. Applicant's Social Security Number;
 - e. Applicants must produce a copy of their driver's license or a photograph will be taken by the Braintree police department at the time of registering;
 - f. Length of time for which applicant seeks to conduct business in the town of Braintree;

- g. Description of the nature of the business and the goods or services to be sold or purpose(s) for which donations are to be requested;
 - h. If applicant is operating or being transported by a motor vehicle, the year, make, model, color, registration number, state of registration, owner's name and address of each such vehicle;
 - i. **Each applicant must provide a Criminal Offender Record Information (C.O.R.I.) check for each individual solicitor to the Braintree Police that has been completed in the past 60 days. Applicants who have been convicted (found guilty) of any of the following offenses within the past seven years are prohibited from soliciting in Braintree: burglary, drug distribution, level 2 and level 3 sex offenders, breaking and entering, larceny, robbery, receiving stolen property, assault, fraud, sexual misconduct, and unlawfully carrying weapons;**
 - j. Applicant must also consent to a criminal history check to be conducted by the Chief of Police or his/her designee.
2. Contents of Certificate: Each certificate of registration shall contain the signature of the Chief of Police or his/her designee and shall show the name, address and photograph of the holder of the certificate, date of issue and registration number.
 3. Expiration of Certificate: Each certificate of registration issued pursuant to this ordinance shall expire thirty (**30**) days from the date of issue. Certificates must be returned to the Braintree Police Department when the applicant has concluded his/her or her solicitation activities in the Town of Braintree.
 4. Transfer of Certificate: No certificate of registration may be transferred to any other person or entity.
 5. Revocation of Certificate: The Chief of Police may revoke the certificate of registration of any solicitor or canvasser for violation of any provision of this ordinance or for providing false information on the application.
 6. Duties of Police Department: The Police Department shall keep a record of all certificates of registration, including registration numbers, and applications therefor for a period of six years after application. Enforcement authority of this ordinance shall be by criminal complaint filed by the police department.

E. Exception:

The provisions of this ordinance shall not apply to the following persons:

1. Any person duly licensed under Chapter 101 of the General Laws, or to any person exempted under Chapters 101, Chapter 149, Section 69, and Chapter 180, Section 4 of the General Laws, or any other General Law.
2. Any officer or employee of the town, county, state or federal government on official business; or
3. Route salespersons or others having established customers making periodic deliveries to such customers or making calls upon prospective customers to solicit orders for periodic route deliveries, including but not limited to news carriers.
4. Individuals seeking to engage in exclusively Non-Commercial Communication.

5. Exempted entities include registered religious organizations, political information drops, social groups and other non-commercial community groups.

F. Severability:

If any section, subsection, sentence, clause, phrase or portion of this ordinance shall be declared Invalid or held unconstitutional by any court of last resort, the remainder shall continue in full force and effect.

G. Penalty.

Whoever violates any provision of this ordinance shall be liable to a penalty of not less than three hundred dollars (\$300.00) for each offense, or take any other action relative thereto. **Exemption being only other fines outlined in former sections. In such sections outlined fines would apply.** (STM 10-8-2002 Art.18;STM 5-6-1996 Art. 15;prior code§ 99-7).



Town of Braintree

Contributory Retirement System

74 Pond Street, 2nd Floor
Braintree, MA 02184

July 7, 2015

Ms. Susan Cimino
Clerk for the Council
Braintree Town Hall
One J.F.K. Memorial Drive
Braintree, MA 02184

Dear Susan,

The Braintree Contributory Retirement Board respectfully requests to meet with the Braintree Town Council Members to discuss adopting the following local option:

1. M.G.L. c. 32 §20(6) – *Retirement Board Members Compensation*

Enclosed you will find the referenced legislation with an explanation and the Board's rationale for moving forward with this request. If you or the Council members require any additional information or have any questions, please do not hesitate to contact me at (781)794-8211, or jmartineau@braintreema.gov.

Requested Motion:

That the Town vote to accept the provisions of M.G.L. c. 32, s. 20(6), as amended by Section 34 of Chapter 176 of the Acts of 2011, to allow the elected and appointed members of the Braintree Contributory Retirement Board to receive a stipend of not less than \$3,000 nor more than \$4,500 per year

Sincerely,

Jeanne Martineau, Director
Braintree Contributory Retirement System

Cc: BCRS Board Members

RECEIVED TOWN CLERK
BRAINTREE, MA
2015 JUL -7 PM 2:54

RECEIVED TOWN CLERK
BRAintree, MA**M.G.L. c. 32 Contributory Retirement Systems for Public Employees**

2015 JUL 7 11 25 54

§20(6) – Retirement Board Members Compensation

(6) *Retirement Board Members Compensation.* — The elected and appointed members of a city, town, county, regional, district or authority retirement board upon the acceptance of the appropriate legislative body shall receive a stipend; provided, however, that the stipend shall not be less than \$3,000 per year and not more than \$4,500 per year; provided, further, that the stipend shall be paid from funds under the control of the board as shall be determined by the commission; and provided, further, that an ex-officio member of a city, town, county, district or authority retirement board upon the acceptance of the appropriate legislative body shall receive a stipend of not more than \$4,500 per year in the aggregate for services rendered in the active administration of the retirement system.

NARRATIVE:

The Braintree Contributory Retirement Board Members typically meet on the fourth Wednesday of every month, and at times schedule random meetings to accommodate members of the System and their attorneys for purposes of confidential hearings. Occasionally, there is also a need for financial reviews, or money manager interviews, however, the Board typically incorporates such interviews into their regular meetings, thus significantly extending their meeting period.

The Board is governed under M.G.L. c. 32, and below you will find just two of the most recent changes to this law which require extensive time and full disclosure on the part of Retirement Board members:

Section 20(7)

Retirement Board Member Training. — During each full term of service retirement board members shall undertake 18 hours of training; provided, however, that not less than 3 hours of such training shall take place each year and not more than 9 hours may take place in any single year; provided, however, that nothing in this subdivision shall prohibit such retirement board members from undertaking more than 18 hours of training.

Such training shall consist of 9 hours sponsored by the commission, which shall include, at a minimum, the topics of fiduciary responsibility, ethical conduct and conflict of interest and 9 hours of training on topics prescribed by the commission provided by the Massachusetts Association of Contributory Retirement Systems or other local, state, regional and national organizations recognized by the commission as having expertise in retirement issues of importance to retirement board members or other entities, as the commission may determine.

Section 20C.

Retirement Board Member Statement of Financial Interest. — (a) Every member of a retirement board shall file a statement of financial interests for the preceding calendar year with the commission: (i) within 30 days of becoming a member of a retirement board; (ii) by May 1 of each year thereafter that the person is a member of a retirement board; and (iii) by May 1 of the year after the person ceases to be a member of a retirement board.

(see statement attached)

The Board is also governed under Public Employee Retirement Administration (PERAC) Regulations, 840 CMR 1-27. Below we have included only the first regulation to emphasize the fiduciary duty that is placed upon the members of the Braintree Retirement Board.

1.01: Board Members' Duty

1. A board member shall discharge all of his/her duties solely in the interest of members and their beneficiaries, and
2. For the exclusive purpose of:
 1. Providing benefits to members and the beneficiaries; and
 2. Defraying reasonable expenses of administering the system
3. With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.
4. By diversifying the investments of the system so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.
5. In accordance with the Massachusetts General Laws, the rules and regulations promulgated by the Commission, and the rules and regulations adopted by the Board and approved by the Commission.

1.02: Liability For Breach of Fiduciary Duty

1. Failure to comply with the fiduciary standard set forth in M.G.L. c. 32, § 23 and in 840 CMR 1.01 may subject the fiduciary to personal liability for any losses to the system resulting from such failure.
2. If a fiduciary knowingly participates in or knowingly conceals an act or omission of a co-fiduciary which is a breach of fiduciary duty the fiduciary may be subject to personal liability for any losses to the system resulting from such breach.
3. If, by failing to comply with his/her fiduciary duty, a fiduciary enables a co-fiduciary to breach his/her fiduciary duty, the fiduciary may be subject to personal liability for any losses to the system resulting from such breach.
4. If a fiduciary has knowledge of a breach of fiduciary duty by a co-fiduciary and the fiduciary fails to make reasonable efforts under the circumstances to remedy the breach of fiduciary duty, the fiduciary may be subject to personal liability for any losses to the system resulting from such breach.

As you can read above, the Braintree Retirement Board Members assume an abundance of personal liability for their duties, which they take very seriously. They work closely with their financial and legal counsel to ensure that they are in compliance with all investment and member-related regulations, and they have oversight responsibility for a portfolio in excess of one-hundred and seventy- million dollars.

There are 104 Massachusetts Retirement Boards which are governed under c. 32. Enclosed you will find a survey demonstrating that Braintree is one of twelve Boards who do not offer a stipend of any kind. The Board is requesting that the Council vote to accept the local option under M.G.L. c. 32, §20(6), and grant the Braintree Contributory Retirement Board Members a stipend as allowed in legislation. Your consideration of this matter is greatly appreciated.

**PUBLIC EMPLOYEE
RETIREMENT ADMINISTRATION COMMISSION
5 MIDDLESEX AVE – 3RD FLOOR
SOMERVILLE, MA 02145
(617) 666-4446**

STATEMENT OF FINANCIAL INTERESTS FOR CALENDAR YEAR 2014

Please provide the requested information. As required by G.L. c. 32, Section 20C, the Financial Disclosure Law, you must answer all questions to the best of your knowledge. If your answer to any question is "none" or if any question is not applicable, check "Not Applicable." If extra space is needed to complete a response, attach additional pages, clearly noting the question to which the information relates. If the Commission needs to contact you regarding this form, we will use the contact information provided in Question 1.

1. Reporting Data

| | |
|--|---|
| Person Reporting: | |
| Current Home Address: | |
| City: | |
| State: | |
| Zip: | |
| Home Phone: | |
| Office Phone: | |
| Email: | |
| Name of spouse residing in your household: | <input type="checkbox"/> Not Applicable |
| Name of dependent child(ren) residing in your household (you do not need to provide the name of minor children): | <input type="checkbox"/> Not Applicable |

2. Retirement Board

This question indicates the reason you are required to file a Statement of Financial Interests and must be completed. Identify each position you held in 2014 or now hold as a **Retirement Board Member**.

| | |
|------------------------------|--|
| Board on which you serve(d): | |
| Start Date: | |
| End Date if applicable: | |

3. Other Government Position(s) (including position as an employee of a retirement board)

Identify any other government position(s) held in 2014 by you and/or an **IMMEDIATE FAMILY** member (spouse or dependent child) in any federal, state, county, district or municipal agency, whether compensated or uncompensated, full- or part-time. This also includes work performed pursuant to any consulting or contracted agreement with any such agency.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|-----------------------------------|--|
| Name of Governmental Entity: | |
| Position Held: | |
| Filer or Immediate Family Member: | |

4. Employment and Other Associations with Businesses and Non-Governmental Entities (Including Non-Profit Organizations)

Identify each **BUSINESS** with which you and/or an **IMMEDIATE FAMILY** member (spouse or dependent child) were associated in 2014 as an employee, or as a partner, sole proprietor, officer, director, or in any similar managerial capacity, whether compensated or uncompensated, full- or part-time. **Include any business from which you have taken a leave of absence.**

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|-----------------------------------|--|
| Name of Business: | |
| Address: | |
| Position Held: | |
| Filer or Immediate Family Member: | |

5. Business Ownership/Equity

Identify any **BUSINESS** in which you and/or an **IMMEDIATE FAMILY** member owned more than 1% of the **EQUITY** at any time during 2014.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|--------------------------------|--|
| Name of Business: | |
| Address: | |
| Percentage Owned (Filer Only): | |

6. Gifts

Identify any GIFTS with a fair market value aggregating more than \$100 received by you and/or an **IMMEDIATE FAMILY** member at any time during 2014 if the source of the gift is a person having a direct interest in a matter before the retirement board of which you are a member.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|--|--|
| Name of Source: | |
| Address of Source: | |
| Affiliation of Source: | |
| Individual Giving on Behalf of Source: | |
| Recipient: | |
| Value (Filer Only): | |

7. Honoraria

Identify any **HONORARIUM** aggregating more than \$100 received by you and/or an **IMMEDIATE FAMILY** member at any time during 2014 if the source of such honoraria is a person having a direct interest in a matter before the retirement board of which you are a member.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|--|--|
| Name of Source: | |
| Address of Source: | |
| Affiliation of Source: | |
| Individual Giving on Behalf of Source: | |
| Recipient: | |
| Value (Filer Only): | |

8. Reimbursements

Identify any **REIMBURSEMENTS** aggregating more than \$100 received by you and/or an **IMMEDIATE FAMILY** member at any time during 2014 if the source of the reimbursement is a person having a direct interest in a matter before the retirement board of which you are a member.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|--|--|
| Name of Source: | |
| Address of Source: | |
| Affiliation of Source: | |
| Individual Giving on Behalf of Source: | |
| Recipient: | |
| Value (Filer Only): | |

9. Securities and Investments

Identify each **SECURITY** or other **INVESTMENT**, with a fair market value in excess of \$1,000, beneficially owned by you and/or an **IMMEDIATE FAMILY** member as of December 31, 2014.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Exclude cash and bank accounts; money market funds; certificates of deposit; retirement plans; profit – sharing plans; 401(k) or other deferred compensation plans; Keogh plans; insurance policies; Commonwealth U-Plan or U-Fund; tangible property held and used for non-commercial purposes, such as antiques and artwork; and investments held as a trustee, nominee, or agent for another person.

☐ Not Applicable

| | |
|---|--|
| Name of Issuer: | |
| Description of Security: | |
| Principal Place of Business(Only for Non-Publicly Traded Securities): | |
| Owner (Filer or Immediate Family Member): | |

10. Current Home/Residence Mortgage Information

Identify all mortgages for your current home/residence, including home equity and reverse mortgage loans, in excess of \$1,000, outstanding on December 31, 2014, for which you and/or an **IMMEDIATE FAMILY** member were obligated. You are not required to disclose your current home address.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|----------------------------------|--|
| Creditor Name: | |
| Creditor Address: | |
| Interest Rate: | |
| Year Mortgage Due or Terminated: | |

11. Non – Current Home/Residence Mortgage Information

Identify all mortgages that are not for your current home/residence, including home equity and reverse mortgage loans, in excess of \$1,000, outstanding on December 31, 2014, for which you and/or an **IMMEDIATE FAMILY** member were obligated. For an **IMMEDIATE FAMILY** member, do not report the **AMOUNTS** borrowed and owed.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|----------------------|--|
| Address of Property: | |
| Creditor Name: | |
| Creditor Address: | |

| | |
|--|--|
| Original Amount Borrowed if the mortgage loan was NOT for your current home/residence (Filer Only): | |
| Amount Owed if the mortgage loan was NOT for your current home/residence (Filer Only): | |
| Interest Rate: | |
| Year Mortgage Due or Terminated: | |

12. Creditor Information

Identify each debt, loan or other liability, other than mortgages reported above, in excess of \$1,000, owed by you and/or an **IMMEDIATE FAMILY** member as of December 31, 2014. Use categories of **AMOUNT** where applicable. **EXCLUDE: Any liability of \$1,000 or less; installment loans (cars, household effects, etc.); educational loans; medical and dental debts; credit card purchases (other than cash advances); support or alimony obligations; debts owed to a spouse or CLOSE RELATIVE; and debts incurred in the ordinary course of a BUSINESS.**

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|--|--|
| Creditor Name: | |
| Creditor Address: | |
| Original Amount Borrowed (Filer Only): | |
| Amount Owed (Filer Only): | |
| Interest Rate: | |
| Year Due or Terminated: | |
| Loan Collateral: | |

13. Debts Forgiven

Identify each creditor who at any time during 2014 forgave any indebtedness in excess of \$1,000 owed by you and/or an **IMMEDIATE FAMILY** member, if the creditor is a person having a direct interest in a matter before the retirement board of which you are a member. **EXCLUDE: Any debts forgiven by a spouse, a CLOSE RELATIVE, or the spouse of a CLOSE RELATIVE.**

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

☐ Not Applicable

| | |
|-------------------------------|--|
| Creditor Name: | |
| Address: | |
| Amount Forgiven (Filer Only): | |

14. Certification

I, _____, certify under the pains and penalties of perjury that:
(Signature)

- I made a reasonably diligent effort to obtain the required information concerning myself and **IMMEDIATE FAMILY MEMBER(S)**; and
- The information provided on this form and any attachments is true and complete, to the best of my knowledge.

Submitted _____
(Date)

The following **IMMEDIATE FAMILY** member(s) declined to disclose information which is necessary to complete this form fully and accurately. You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

The following are the specific question(s) for which information could not be obtained from an **IMMEDIATE FAMILY** member(s):

The following are the specific question(s) which I decline to answer in whole or in part, because I assert the information is privileged by law:

Please explain the basis of your claim of privilege:

IMPORTANT:

1. No **RETIREMENT BOARD MEMBER** shall be allowed to continue in his duties unless he has filed an SFI with the Commission. The Commission will notify your retirement board immediately if you fail to timely file.
2. A faxed SFI cannot be accepted.
3. You must file by mail or in person, and must submit the original SFI and one (1) copy to complete the filing. The Commission will date-stamp and return the additional copy to you as proof of filing.
4. Please check to see that you answered every question. If a question is not applicable or the answer is none, you must check the "Not Applicable" box.

| | <u>Retirement Board</u> | <u>All Members</u> | <u>Treas</u> | <u>Chair</u> | <u>Ex-Officio</u> |
|---------|-----------------------------|--------------------|--------------|--------------|-------------------|
| 1 NO | Braintree | - | - | | |
| 2 NO | Brookline | - | - | | |
| 3 NO | Concord | - | - | | |
| 4 NO | E Hampton Cnty | - | - | | |
| 5 NO | Fairhaven | - | - | | |
| 6 NO | Framingham | - | - | | |
| 7 NO | Lexington | - | - | | |
| 8 NO | Mass Teachers | - | - | | |
| 9 NO | Milford | - | - | - | |
| 10 NO | MWRA | - | - | | - |
| 11 NO | Reading | - | - | | |
| 12 NO | State Retirement | - | | | |
| 1 SOME | Danvers | - | - | | 1,500.00 |
| 2 SOME | Dedham | - | - | | 1,500.00 |
| 3 SOME | Hingham | - | 1,500.00 | | 3,000.00 |
| 4 SOME | Hull | - | - | | 3,000.00 |
| 5 SOME | Marblehead | - | - | | 1,500.00 |
| 6 SOME | Maynard | - | 3,000.00 | | 3,000.00 |
| 7 SOME | Minuteman Reg | - | 1,500.00 | | |
| 8 SOME | Natick | - | - | - | 1,500.00 |
| 9 SOME | Needham | - | - | 3,000.00 | |
| 10 SOME | North Adams | - | 2,000.00 | | |
| 11 SOME | Northbridge | - | - | | 3,000.00 |
| 12 SOME | Plymouth | - | 3,000.00 | 3,000.00 | |
| 13 SOME | Shrewsbury | - | - | | 3,000.00 |
| 14 SOME | Wellesley | - | - | | 1,500.00 |
| 15 SOME | Winchester | - | - | | 3,000.00 |
| 16 SOME | Winthrop | - | - | | 3,000.00 |
| 17 SOME | Andover | | 3,000.00 | | 3,000.00 |
| 18 SOME | Falmouth | | 1,500.00 | | 1,500.00 |
| 19 SOME | Milton | | 1,500.00 | | 1,500.00 |
| 20 SOME | Saugus | | 1,920.00 | | 3,000.00 |
| 21 SOME | Stoneham | | 3,000.00 | | 3,000.00 |
| 22 SOME | Swampscott | | | | 3,000.00 |
| 1 YES | Adams | 3,000.00 | 3,000.00 | | |
| 2 YES | Amesbury | 3,000.00 | - | | |
| 3 YES | Attleboro | 3,000.00 | 1,000.00 | | |
| 4 YES | Belmont | 3,000.00 | - | | |
| 5 YES | Berkshire Cnty | 3,000.00 | | 5,000.00 | |
| 6 YES | Beverly | 3,000.00 | 1,500.00 | | |
| 7 YES | Blue Hills | 3,000.00 | | | |
| 8 YES | Brockton | 3,000.00 | | | |
| 9 YES | Chelsea | 3,000.00 | 1,500.00 | | |
| 10 YES | Clinton | 3,000.00 | 850.00 | | |
| 11 YES | Dukes Cnty | 3,000.00 | | | |
| 12 YES | Fall River | 3,000.00 | 3,000.00 | | |
| 13 YES | Fitchburg | 3,000.00 | - | | |
| 14 YES | Gardner | 3,000.00 | 300.00 | | |
| 15 YES | Greater Lawrence Sanitation | 3,000.00 | | | |
| 16 YES | Greenfield | 3,000.00 | 3,000.00 | | |
| 17 YES | Hampden Cnty | 3,000.00 | \$25,642.68 | | |
| 18 YES | Haverhill | 3,000.00 | 1,200.00 | | |
| 19 YES | Holyoke | 3,000.00 | | | |
| 20 YES | Lawrence | 3,000.00 | 3,000.00 | | |
| 21 YES | Leominster | 3,000.00 | 3,000.00 | | |
| 22 YES | Lynn | 3,000.00 | - | | |

| | <u>Retirement Board</u> | <u>All Members</u> | <u>Treas</u> | <u>Chair</u> | <u>Ex-Officio</u> |
|--------|-------------------------|--------------------|--------------|--------------|-------------------|
| 23 YES | Marlborough | 3,000.00 | - | - | |
| 24 YES | Mass Housing Fin | 3,000.00 | - | | |
| 25 YES | Massport | 3,000.00 | | | |
| 26 YES | Melrose | 3,000.00 | | | |
| 27 YES | Methuen | 3,000.00 | 1,500.00 | | |
| 28 YES | Newton | 3,000.00 | - | | |
| 29 YES | North Attleboro | 3,000.00 | - | | |
| 30 YES | NorthHapmton | 3,000.00 | 3,000.00 | | |
| 31 YES | Peabody | 3,000.00 | 1,500.00 | | |
| 32 YES | Pittsfield | 3,000.00 | 1,500.00 | | |
| 33 YES | Plymouth County | 3,000.00 | | | |
| 34 YES | Quincy | 3,000.00 | - | | |
| 35 YES | Revere | 3,000.00 | 3,000.00 | | |
| 36 YES | Salem | 3,000.00 | | | |
| 37 YES | Southbridge | 3,000.00 | 3,000.00 | | |
| 38 YES | Springfield | 3,000.00 | - | | |
| 39 YES | Wakefield | 3,000.00 | 1,500.00 | | |
| 40 YES | Waltham | 3,000.00 | 3,000.00 | | |
| 41 YES | Webster | 3,000.00 | 3,000.00 | | |
| 42 YES | West Springfield | 3,000.00 | 1,500.00 | | |
| 43 YES | Westfield | 3,000.00 | 3,000.00 | | |
| 44 YES | Woburn | 3,000.00 | 3,000.00 | | |
| 1 YES | Somerville | 3,600.00 | 3,600.00 | | |
| 1 YES | Franklin Reg. | 4,000.00 | 8,000.00 | 8,000.00 | |
| 2 YES | Montague Ret | 4,000.00 | - | | |
| 3 YES | Watertown | 4,000.00 | | | |
| 1 YES | Arlington | 4,500.00 | 3,000.00 | | |
| 2 YES | Barnstable Cnty | 4,500.00 | | | |
| 3 YES | Boston | 4,500.00 | - | | |
| 4 YES | Bristol cnty | 4,500.00 | - | | |
| 5 YES | Cambridge | 4,500.00 | 1,500.00 | | |
| 6 YES | Chicopee | 4,500.00 | 1,500.00 | | |
| 7 YES | Essex Regional | 4,500.00 | | | |
| 8 YES | Everett | 4,500.00 | 3,000.00 | | |
| 9 YES | Gloucester | 4,500.00 | 1,500.00 | | |
| 10 YES | Hampshire Cnty | 4,500.00 | | 54,807.96 | |
| 11 YES | Lowell | 4,500.00 | 2,000.00 | | |
| 12 YES | Malden | 4,500.00 | | | |
| 13 YES | Medford | 4,500.00 | 1,500.00 | | |
| 14 YES | Middlesex cnty | 4,500.00 | - | | |
| 15 YES | New Bedford | 4,500.00 | 1,500.00 | | |
| 16 YES | Newburyport | 4,500.00 | 2,500.00 | | |
| 17 YES | Norfolk Cnty | 4,500.00 | | | |
| 18 YES | Norwood | 4,500.00 | 1,500.00 | | |
| 19 YES | Taunton | 4,500.00 | 3,000.00 | | |
| 20 YES | Weymouth | 4,500.00 | - | | |
| 21 YES | Worcester | 4,500.00 | - | | |
| 22 YES | Worcester Reg | 4,500.00 | - | | |

Braintree Contributory Retirement System

Established 1936

A presentation to the Braintree Town Council
Tuesday August 11, 2015

Who are your Board Members?

Pursuant to M.G.L. c. 32 s. 20 (4)(c), the Board shall have five members

❑ **Elected; by the membership**

Experience

- Gerald (Jerry) Kenny, Retired; Fire Chief 18+ years
- Phyllis DiPalma, Retired; Retirement Director (22 yrs) 35+ years

❑ **Appointed; by the Executive Authority**

- Edward Spellman, Active; Director of Mun. Finance 5+ years
- Peter Morin, Town Administrator, Norwell 3+ years

❑ **Fifth Member; Nominated by the 4 Bd Members**

- Roy Bjorlin, Resident of Braintree, Attorney at Law appointment pending

Mission Statement

- By administering the defined benefit program as legislated under M.G.L. c. 32, and 840 CMR, we provide our members with timely service and guidance, and guarantee lifetime benefits to eligible retirees by utilizing proper actuarial techniques and maximizing investment returns.

Guiding Principles

While it is our aim to “EDUCATE” our membership, this word also serves as an acronym which defines our seven guiding principles:

1. Education
2. Data integrity
3. Unbiased decision making
4. Conservative and careful investment approach
5. Accountability
6. Transparency
7. Efficient delivery of services.

How the Board Governs

- ❑ Massachusetts General Law, C. 32 governs MA public pensions
- ❑ 840 CMR; further regulations promulgated by our regulatory Agency
- ❑ Public Employment Retirement Administration Commission (PERAC)
- ❑ Braintree Supplemental Regulations (Must be accepted by PERAC)
- ❑ Case Law

Public Employee Retirement Administration (PERAC) Regulations, 840 CMR 1.01 discusses a Board member's responsibilities.

1. A board member shall discharge all of his/her duties solely in the interest of members and their beneficiaries, and
2. For the exclusive purpose of:
 1. Providing benefits to members and the beneficiaries; and
 2. Defraying reasonable expenses of administering the system
3. With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.
4. By diversifying the investments of the system so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.
5. In accordance with the Massachusetts General Laws, the rules and regulations promulgated by the Commission, and the rules and regulations adopted by the Board and approved by the Commission.

Public Employee Retirement Administration (PERAC) Regulations, 840 CMR 1.02 discusses a Board member's responsibilities.

1. Failure to comply with the fiduciary standard **may subject the fiduciary to personal liability for any losses.**
2. If a fiduciary knowingly participates or conceals an act or omission of a co-fiduciary which is a breach of fiduciary duty, the fiduciary may be subject to **personal liability for any losses** to the system resulting from such breach
3. If, by failing to comply with his/her fiduciary duty, a fiduciary enables a co-fiduciary to breach his /her fiduciary duty, the fiduciary may be subject to **personal liability for any losses** to the system resulting from such breach.
4. If a fiduciary has knowledge of a breach of fiduciary duty by a co-fiduciary and the fiduciary fails to make reasonable efforts under the circumstances to remedy the breach of fiduciary duty, the fiduciary may be subject to **personal liability for any losses** to the system resulting from such breach.

History of Public Retirement Systems in Massachusetts & Braintree

- ❑ In 1911, before the advent of the Federal Social Security Program, the Commonwealth established the State Board of Retirement
- ❑ In 1936 Braintree Adopted the local option to begin their own Municipal Pension Plan
- ❑ In 1945, the System transformed from NON Contributory to Contributory. (Members were now required to contribute 5% of their own funds.)
- ❑ In 1992 Braintree exercised Local option to begin a funding schedule to become fully funded by 2028, later extended to 2040 through legislation. (*No longer Pay as you Go System*)

History of Public Retirement Systems in Massachusetts

- ❑ Massachusetts has 104 Retirement Boards, each having important responsibilities and powers; all are governed under M.G.L. c. 32, and 840 CMR, and all report to a regulatory agency, Public Employee Retirement Administration Commission (PERAC).
- ❑ Over the past decades Contribution rates have changed legislatively
 - Membership prior to 1/1/75; 5%
 - Membership on or after 1/1/75 – 12/31/78; 7%
 - Membership on or after 1/1/79-12/31/83; 7%
 - Membership on or after 1/1/84 – 07/01/96; 8%
 - Membership on or after 07/01/96 to present; 9%
 - ❑ All members after 12/31/78 contribute an additional 2% of regular compensation in excess of \$30,000

Braintree Retirement Data

□ Braintree Retirement System Membership *(12/31/14 data)*

- Active Membership: 780
- Inactive Membership: 87
- Retirees: 514

Funding

- ▣ Actuarial Studies are required every two years
- ▣ Funding levels as of January 01, 20XX

| | |
|----------|----------|
| 00 - 77% | 08 - 75% |
| 02 - 69% | 10 - 68% |
| 04 - 68% | 12 - 62% |
| 06 - 72% | 14 - 66% |

FINANCING

❑ Revenues

- Appropriation - arrived at through the development of the Funding Schedule by collaborating with the Actuary
 - ❑ Tax Levy
 - ❑ Electric Light
 - ❑ Water/Sewer
 - ❑ Golf Enterprise
 - ❑ Housing Authority
- Member Contributions
- Investment Income – Quarterly review of target asset allocation and monthly review of money managers

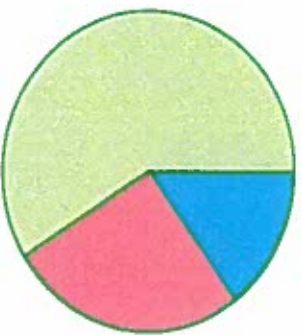
Portfolio Report: Produced by NEPC

| | | | | Ending June 30, 2015 | | | | | | | | | | Inception |
|--|------------------|----------------|----------|----------------------|---------|--------|---------------|---------|----------|----------|-----------|-----------------|--------|-----------|
| | Market Value(\$) | % of Portfolio | Policy % | 1 Mo(%) | 3 Mo(%) | YTD(%) | Fiscal YTD(%) | 1 Yr(%) | 3 Yrs(%) | 5 Yrs(%) | 10 Yrs(%) | Return(%) Since | | |
| Comp w/o Operating Cash* | | | | | | | | | | | | | | |
| Composite | \$169,260,342 | 100 | 100 | -1.5 | 0.0 | 1.6 | 1.6 | 1.3 | 9.3 | 9.3 | 6.4 | 9.8 | Jan-94 | |
| Allocation Index | \$169,540,191 | 100.2 | 100 | -1.5 | 0.0 | 1.6 | 1.6 | 1.2 | 9.1 | 9.2 | -- | 5.2 | Sep-15 | |
| Total Domestic Equity | \$40,823,835 | 24.1 | 22 | -1.5 | -0.2 | 1.5 | 1.5 | 1.2 | 7.6 | 8.1 | 5.7 | 4.3 | 7-Sep | |
| Rhumbline S&P 500 | 40,823,835 | 24.1 | 22 | -1.9 | 0.3 | 1.2 | 1.2 | -- | -- | -- | -- | 4.7 | 14-Sep | |
| S&P 500 | | | | -1.9 | 0.3 | 1.2 | 1.2 | 7.4 | 17.3 | 17.3 | 7.9 | 4.7 | 14-Sep | |
| Total International Equity | \$34,743,011 | 20.5 | 20 | -2.8 | 1.2 | 7.6 | 7.6 | 0.3 | -- | -- | -- | 2.6 | 14-Jan | |
| MFS International Equity | 23,246,966 | 13.7 | 13 | -2.8 | 0.6 | 5.5 | 5.5 | -4.2 | 12 | 9.5 | 5.1 | 0.2 | 14-Jan | |
| MSCI EAFE | | | | -2.8 | 0.3 | 0.9 | 0.9 | -5.1 | -- | -- | -- | -0.7 | 13-Feb | |
| Acadian Emerging Markets | 11,496,044 | 6.8 | 7 | -2.6 | 0.7 | 2.9 | 2.9 | -5.1 | 3.7 | 3.7 | 8.1 | -1.4 | 13-Feb | |
| MSCI Emerging Markets | | | | -2.6 | 0.7 | 2.9 | 2.9 | -5.1 | 3.7 | 3.7 | 8.1 | -1.4 | 13-Feb | |
| Total Global Fixed Income | \$47,488,249 | 28.1 | 28 | | | | | | | | | | | |
| Loomis Sayles Investment Grade Fixed Income Fund | | | | | | | | | | | | | | |
| Income Fund | 43,492,351 | 25.7 | 25 | -1.2 | -1.2 | -1.5 | -1.5 | -2.7 | 4.2 | 6.2 | 7.2 | 8.3 | 1-Apr | |
| Barclays Govt/Credit | | | | -1.2 | -2.1 | -0.3 | -0.3 | 1.7 | 1.8 | 3.5 | 4.4 | 5.3 | 1-Apr | |
| Pictet Emerging Debt | 3,995,898 | 2.4 | 3 | -1.3 | -1 | -5.1 | -5.1 | -15 | -- | -- | -- | -8.8 | 13-Feb | |
| JP Morgan GBI - EM Diversified | | | | -1.2 | -1 | -4.9 | -4.9 | -15.4 | -3.8 | 0.9 | 5.9 | -8.3 | 13-Feb | |
| Total Global Asset Allocation | \$27,086,421 | 16 | 15 | | | | | | | | | | | |
| PRIM Balanced | 27,086,421 | 16 | 15 | -0.9 | 0 | 2.7 | 2.7 | 4 | 11.4 | 11.1 | -- | 6.1 | 6-Feb | |
| PRIT Custom Index | | | | -0.7 | 0.7 | 1.1 | 1.1 | -1.7 | 6.8 | 8 | 5.9 | 5.1 | 6-Feb | |
| Total Hedge Funds | \$8,515,687 | 5 | 5 | | | | | | | | | | | |
| PRIM Hedge Fund | 8,515,687 | 5 | 5 | -1.5 | -0.5 | 2.6 | 2.6 | 3.6 | 8.8 | 6.3 | -- | 3.2 | 7-Jul | |
| HFRI Fund of Funds Composite Index | | | | -1.2 | 0.1 | 2.6 | 2.6 | 3.8 | 6.2 | 4.1 | 3.2 | 1 | 7-Jul | |
| Total Real Estate | \$9,238,481 | 5.5 | 5 | | | | | | | | | | | |
| PRIM R/E Fund | 9,238,481 | 5.5 | 5 | 1.8 | 1.8 | 5.2 | 5.2 | 12 | 12.8 | 13.8 | 8.6 | 10.6 | 1-Oct | |
| NCREIF Property Index | | | | 0 | 0 | 3.6 | 3.6 | 9.5 | 10.5 | 12 | 7.8 | 9.1 | 1-Oct | |
| Total Private Equity | \$1,168,997 | 0.7 | 5 | | | | | | | | | | | |
| Lexington Capital Partners VII | 1,168,997 | 0.7 | 5 | 0 | 0 | -1.2 | -1.2 | 6.9 | 14 | -- | -- | 15.7 | 11-Aug | |
| Private Equity Benchmark (1 Qtr. Lag) | | | | 2.6 | 2.6 | 3.5 | 3.5 | 10.5 | 13.7 | 14 | 12.2 | 13.1 | 11-Aug | |
| Cash | \$195,662 | 0.1 | 0 | | | | | | | | | | | |
| Bank Cash | 195,662 | 0.1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.1 | 1.6 | 2.2 | 1-Jul | |
| 91 Day T-Bills | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0.1 | 1.3 | 1.9 | 1-Jul | |
| Operating Cash | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | -- | 0 | 7-Sep | |
| 91 Day T-Bills | 279,849 | 0.2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.1 | 1.3 | 0.4 | 7-Sep | |
| XXXXX | | | | | | | | | | | | | | |

*One or more accounts have been excluded from the composite for the purposes of performance calculations and market value.

System Funding – (04 -07)

2004



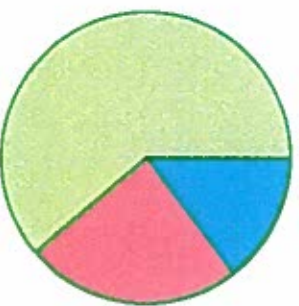
■ Deductions
■ Appropriations
■ Investment Income

2005



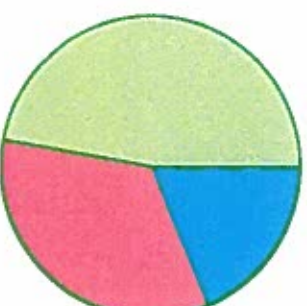
■ Deductions
■ Appropriations
■ Investment Income

2006



■ Deductions
■ Appropriation
■ Investment Income

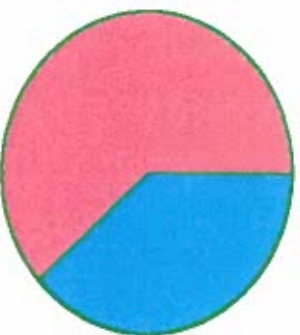
2007



■ Deductions
■ Appropriation
■ Investment Income

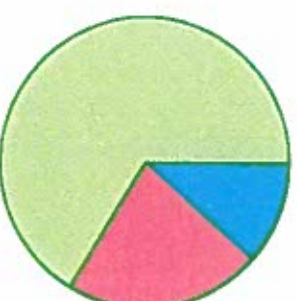
System Funding – (08 - 11)

2008



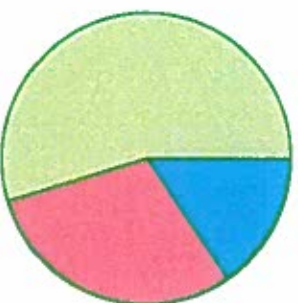
■ Deductions
■ Appropriations
■ Investment Income

2009



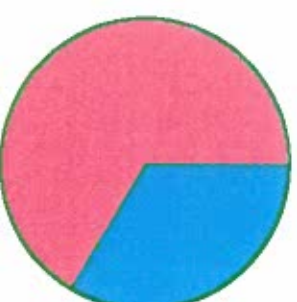
■ Deductions
■ Appropriations
■ Investment Income

2010



■ Deductions
■ Appropriation
■ Investment Income

2011



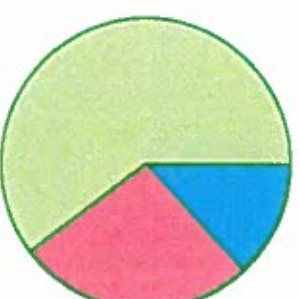
■ Deductions
■ Appropriation
■ Investment Income

System Funding – (12 - 14)

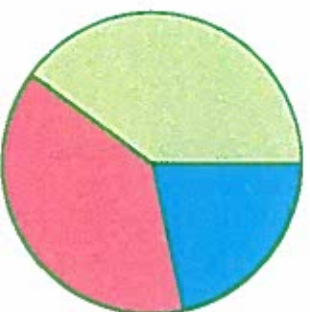
2012



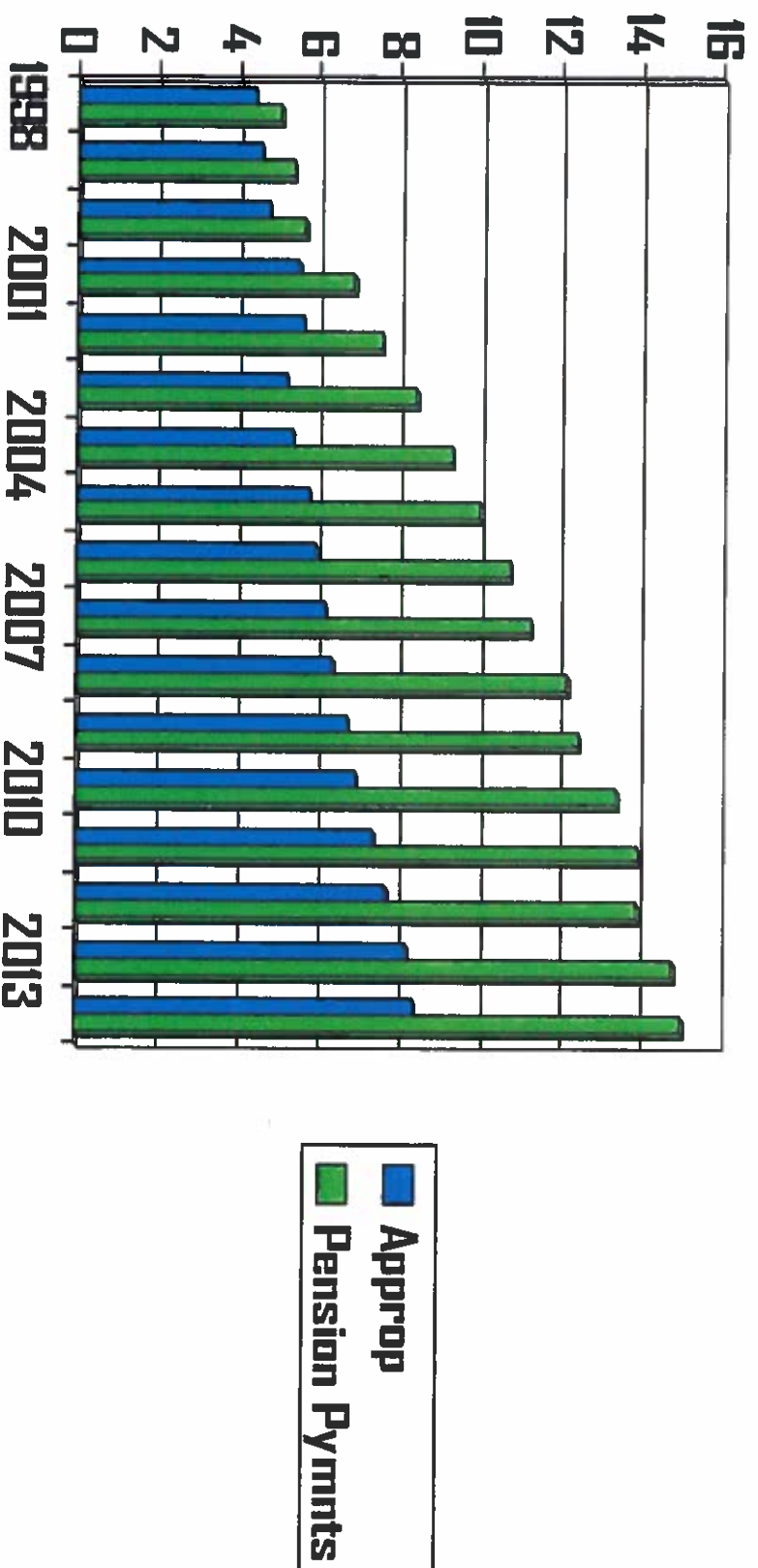
2013



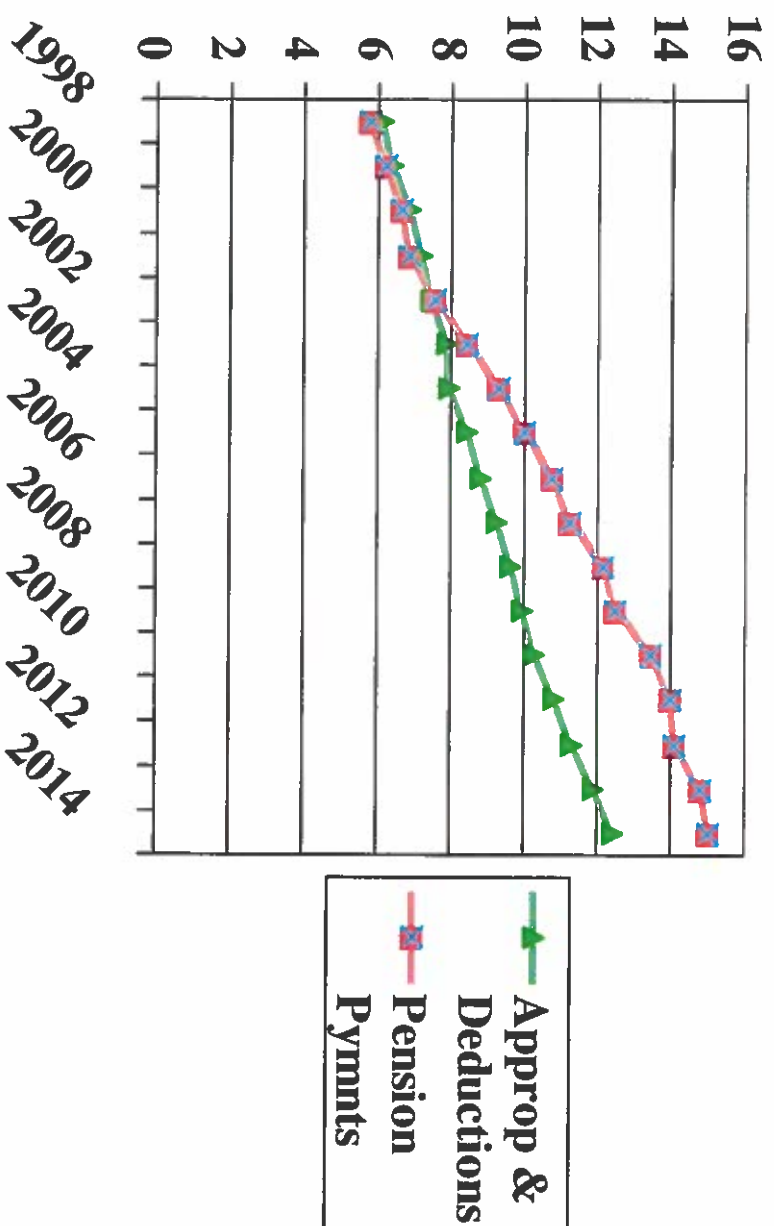
2014



Appropriation vs. Actual Pensions Paid



GAP - Must be made up with Investment Earnings



Braintree Retirement Office

Contact Information

Staff:

Director

Jeanne Martineau

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Braintree, MA 02184

Fx: 781)794-8407

www.townofbraintree.gov/retirement.html



Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Thomas M. Bowes, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

Cc: Edward Spellman, Director of Municipal Finance
Michael Coughlin, Chief of Staff and Director of Operations

From: Joseph C. Sullivan, Mayor

JCS

Date: July 10, 2015

Re: Authorization to Borrow
Braintree Electric Light Department/Watson 3 Generating Station

RECEIVED TOWN CLERK
BRAintree, MA
2015 JUL 14 AM 11:01

As you may know, we have been meeting with the Braintree Electric Light Department (BELD) regarding their proposal to design, engineer and construct a new Electric Generating Unit / Watson 3. One of our current power stations, the Potter II Generating Station went into commercial operation in 1977 and BELD has proposed that it be retired due to transmission and export limitations.

Watson 3, the new 64 MW electric generating unit will be a more efficient, clean burning, quick start up facility providing a desirable form of generating capacity for the regional electrical system. The quick start generation also supports the use of renewable resources by acting as a quickly available back up to such supplies. The facility will be able to achieve full operation within twenty minutes on either natural gas or, as a secondary fuel, ULSD.

I believe the Town of Braintree should fully support this proposal. Our rate payers and residents benefit from BELD as a municipal utility and I applaud BELD's foresight and planning concerning the future of our energy needs. This investment also protects Braintree rate payers from projected and significant energy rate increases scheduled for as early as 2018. BELD has provided valuable information to support the many facets of this proposal. I have made this information available for review by the Council and we are available to discuss as needed.

To support the financing necessary for this significant investment, I am proposing to use the strength of the Town's current credit rating which will allow us to secure the best possible financing terms available in the market. Specifically, I am proposing to finance through use the general obligations of the Town. Bonds or notes needed to finance this project, as identified within the authorization, would be repaid through BELD revenues.

I ask for your consideration and approval of this initiative.

TOWN OF BRAINTREE, MASSACHUSETTS
IN TOWN COUNCIL

MOTION:

That \$95,000,000 be appropriated for the purpose of constructing of an electric power plant and related facilities to be located adjacent to the existing Watson generating plants at Braintree Electric Light Department's Potter Road facility, such costs to include engineering and all other such costs incidental and related to the construction of the plant; that to meet this appropriation, the Treasurer, with approval of the Mayor, is hereby authorized to borrow \$95,000,000 pursuant to the provisions of M.G.L. c. 44, § 8(8); or pursuant to any other enabling authority; and that, although any bonds or notes issued pursuant to this vote shall be general obligations of the Town, it is the intent of the Town that such bonds or notes shall be repaid solely from the revenues of the Braintree Electric Light Department; and that the Braintree Electric Light Department is authorized to expend the amount appropriated by this order for said purpose and to take all other actions relative thereto.

As this request involves the authorization to borrow funds, advertising and a public hearing is required under sections 2-9 and 6-7 of the Town Charter.



ISO-NE Markets/ Power Plant Project

August 27, 2015

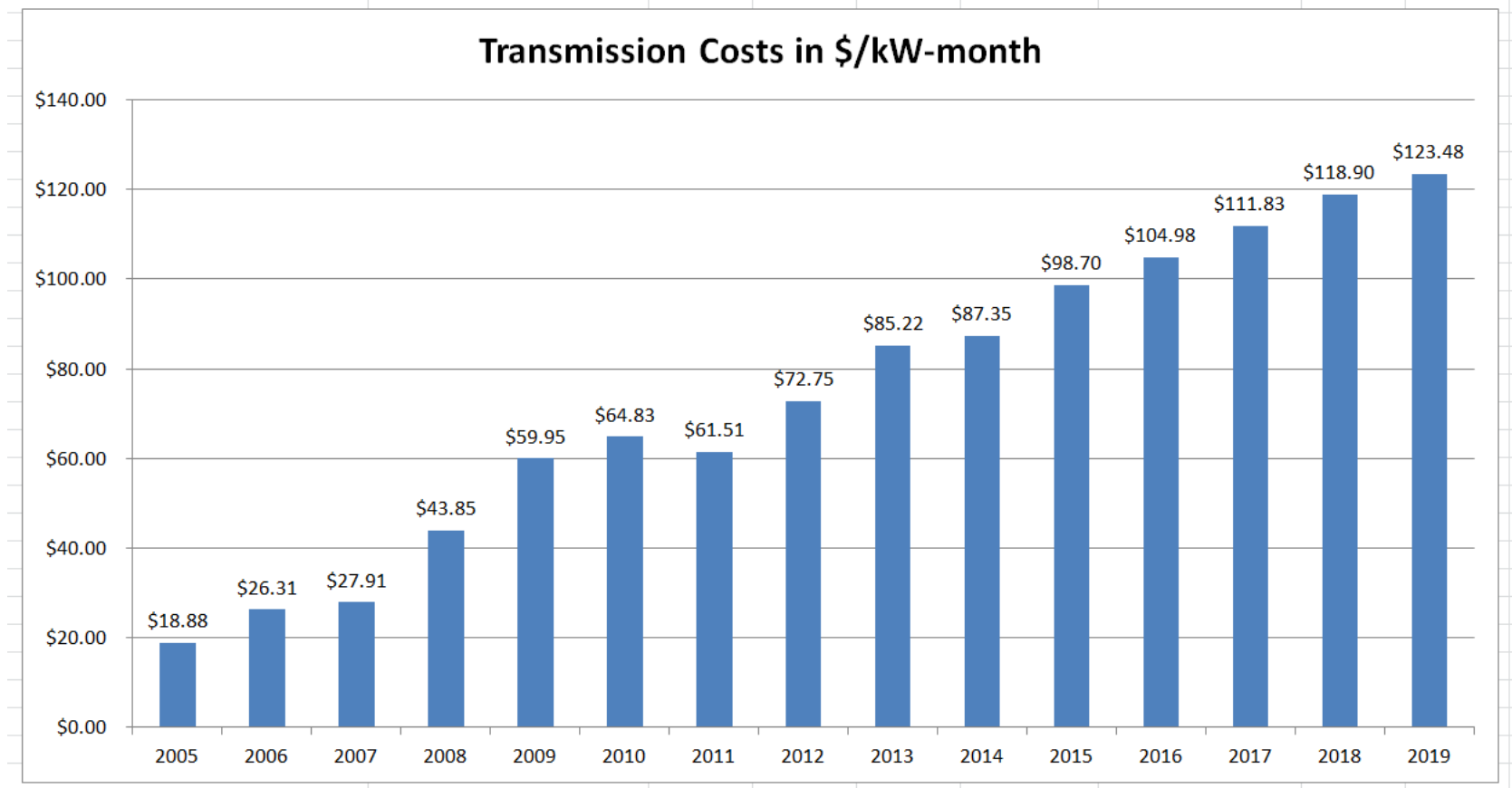
AGENDA

- ISO – NE Markets and How They are Changing
- BELD's Cost Structure
- Watson 1 & 2 Update
- Why Build a new Power Plant

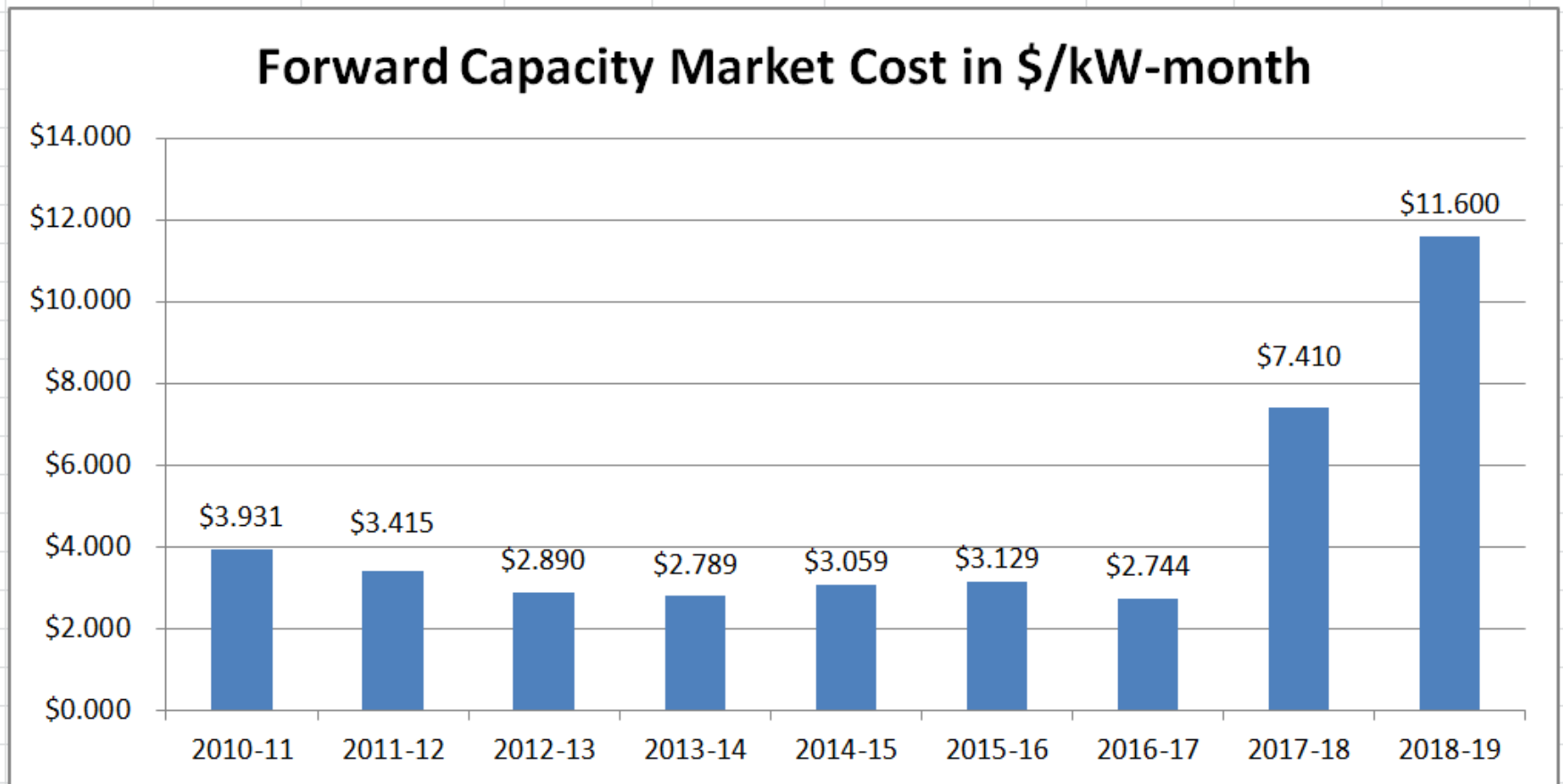
ISO-NE Markets

- Transmission, Capacity, and Energy are the 3 Major Markets ISO-NE Regulates
 - Transmission Costs have been increasing dramatically
 - Capacity Costs soon to start increasing
 - Energy Costs have been relatively stable but are becoming more volatile

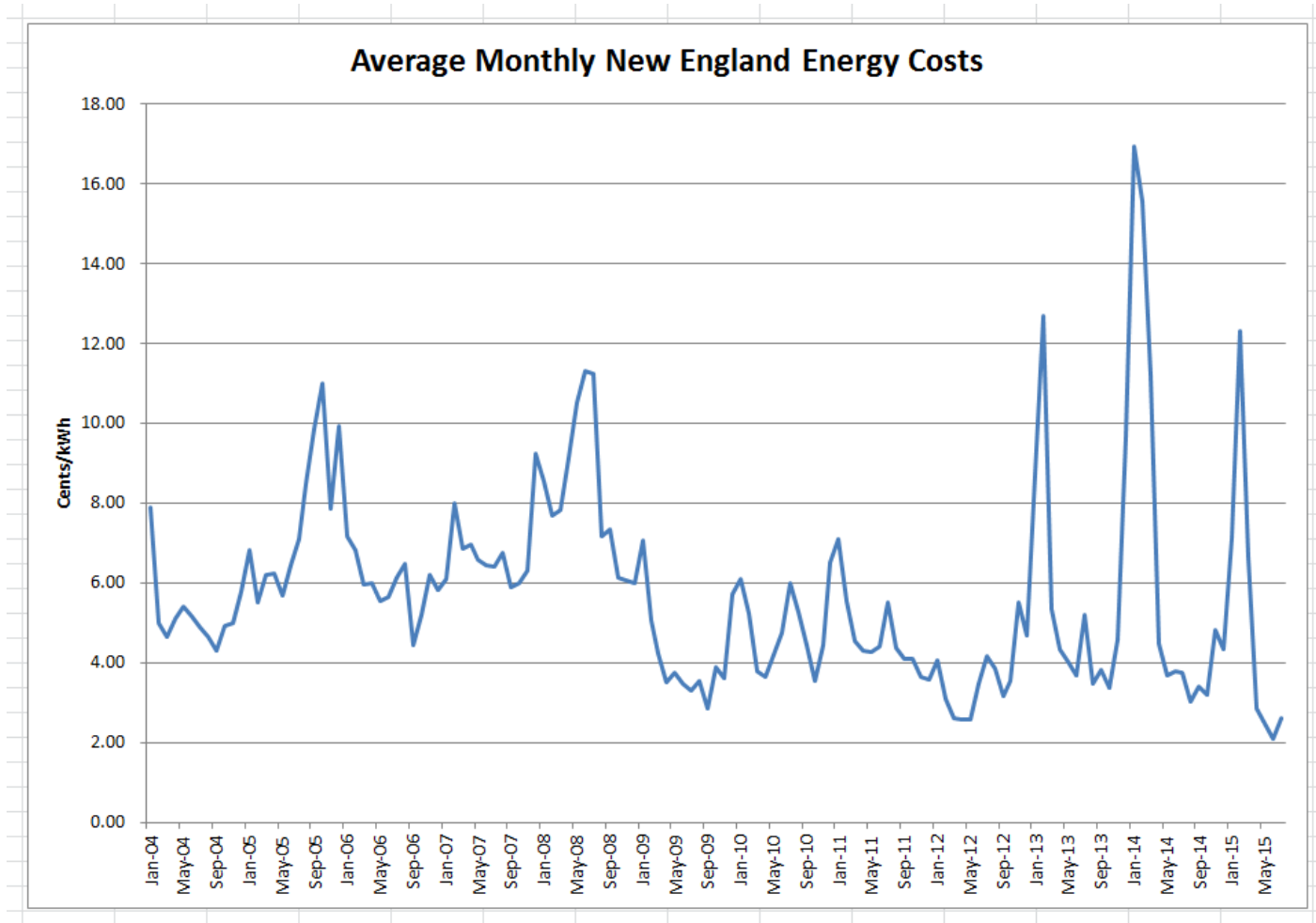
New England Transmission Costs



New England Capacity Costs



New England Energy Costs*

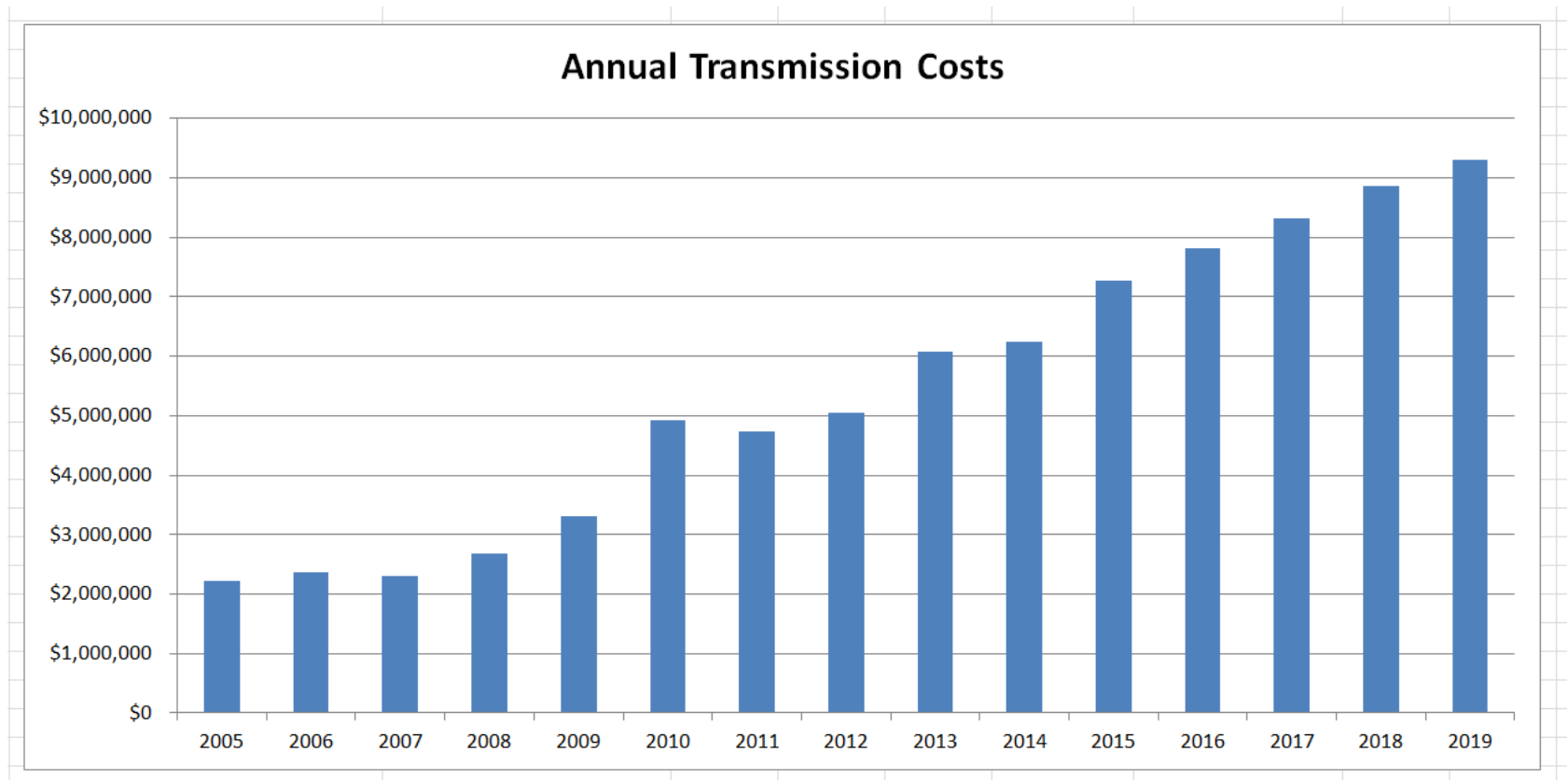


*Spot market price

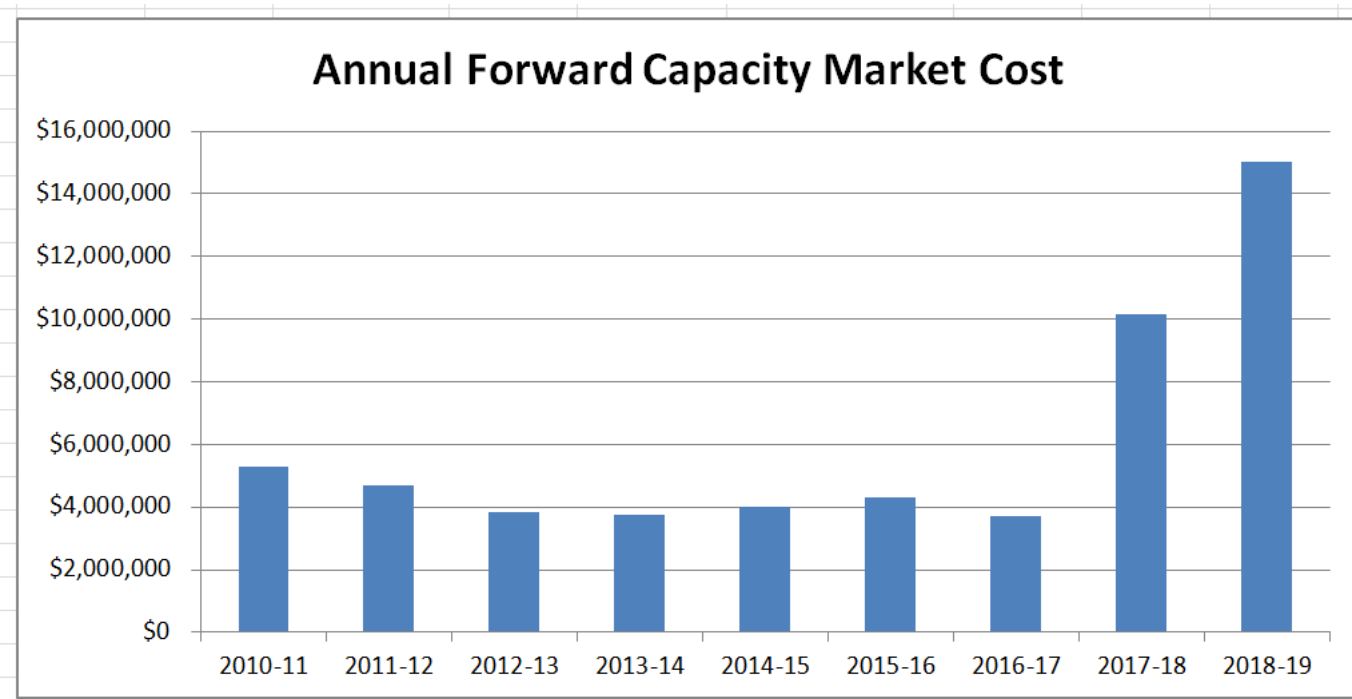
BELD's Cost Structure

- Electric Rate is Broken Down into 4 Major Parts
 - Energy
 - Distribution
 - Transmission
 - Generation (Capacity)

BELD's Transmission Cost

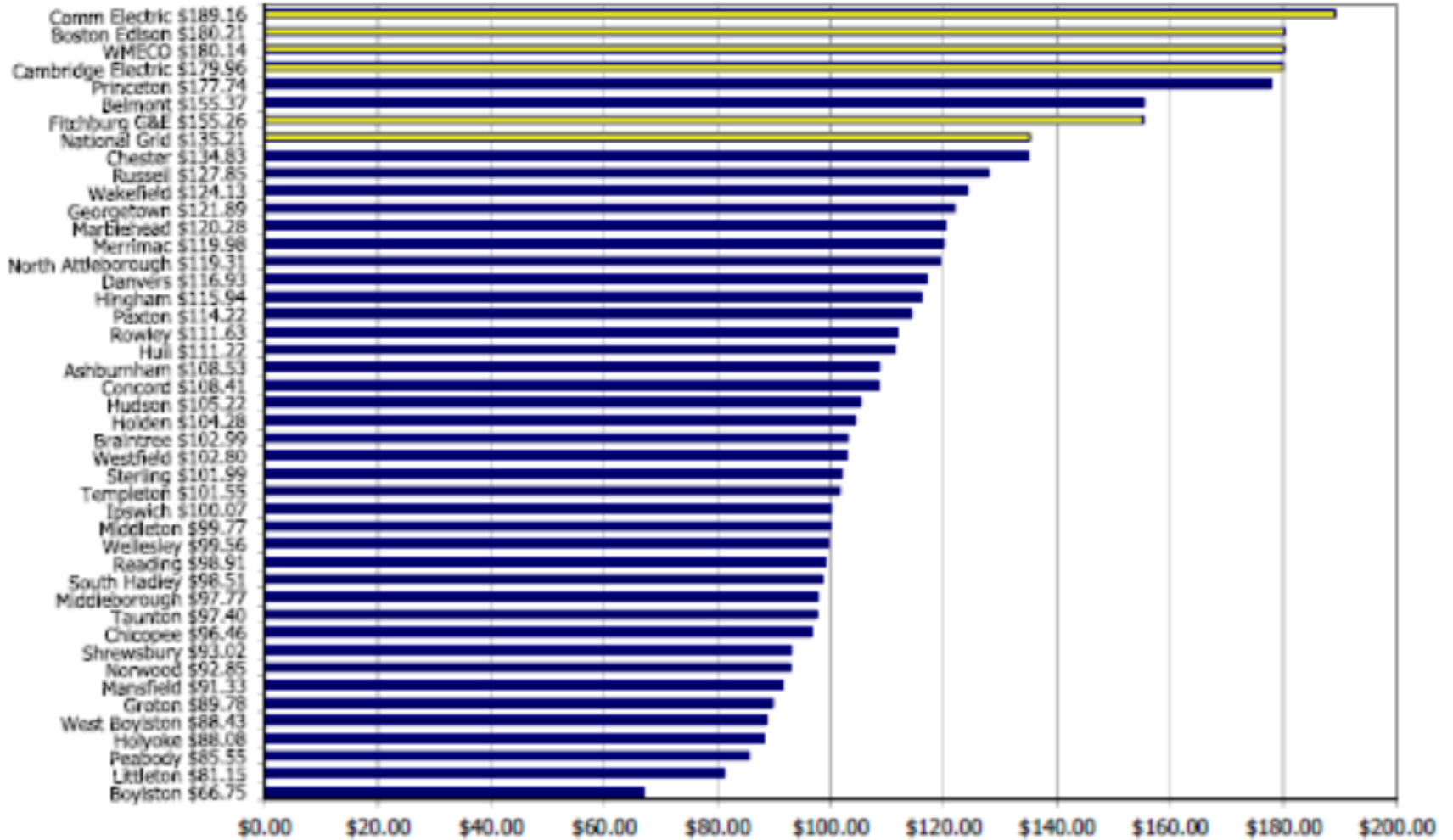


BELD's Capacity Cost*

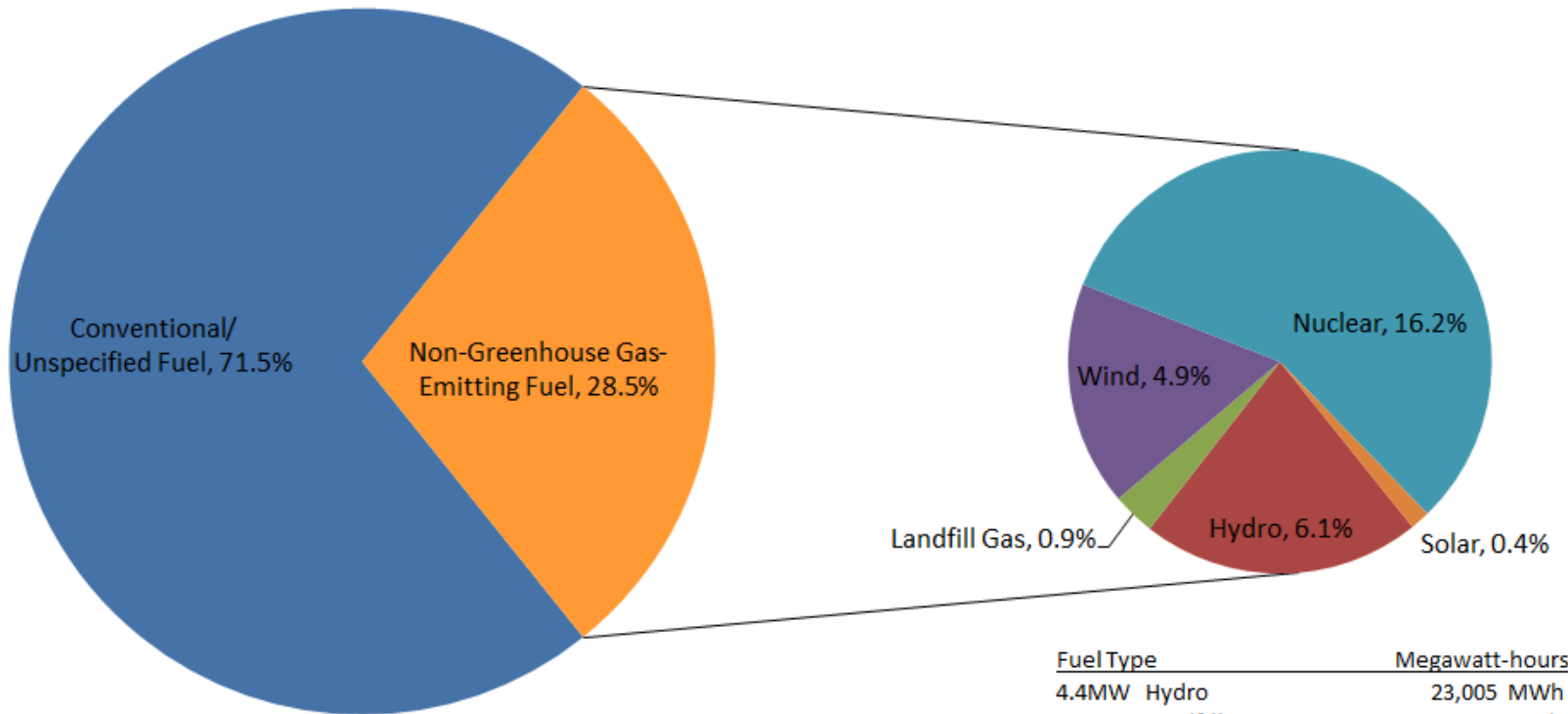


* If BELD did not have generation

Residential Rate Comparison 750 kWh June 2015



BELD's Projected Load Breakdown by Fuel - 2015



| Fuel Type | Megawatt-hours |
|--------------------------------|--------------------|
| 4.4MW Hydro | 23,005 MWh |
| 0.5MW Landfill Gas | 3,513 MWh |
| 1.2MW Solar | 1,611 MWh |
| 7.4MW Wind | 18,467 MWh |
| 7.6MW Nuclear | <u>61,275 MWh</u> |
| Total Non-Greenhouse Emitting: | 107,871 MWh |
| Conventional Fuel (Gas/Oil) | <u>271,080 MWh</u> |

Note: differences may occur due to decimal point rounding.

Watson 1 & 2 Update

- Commercial Operation June 2009
- 7 Municipal Partners
- Each unit runs approximately 130 days/yr.
- Run on Natural Gas and Ultra Low Sulfur Diesel Fuel (Winter)
- Bonded \$110 million,
 - Currently \$80.645 million
 - Will owe \$58.750 million in 2019

Watson 1 & 2



From 2006 Town Meeting Presentation

Watson 1 & 2

Power Plant Incentives (per 100 MWs)

| | As Presented | Actual Auction Clearing Price* |
|------|-------------------------|--------------------------------|
| 2007 | \$305,000 | \$305,000 |
| 2008 | \$375,000 | \$375,000 |
| 2009 | \$410,000 | \$410,000 |
| 2010 | \$450,000 - \$1,600,000 | \$393,000 |
| 2011 | | \$342,000 |
| 2012 | | \$289,000 |
| 2013 | | \$279,000 |
| 2014 | | \$306,000 |
| 2015 | | \$313,000 |
| 2016 | | \$274,000 |
| 2017 | | \$741,000 |
| 2018 | | \$1,160,000 |



* Auction Clearing prices rose slower than expected due to older power plants retiring later than estimated.

From 2006 Town Meeting Presentation

Watson 1 & 2

Residential Electric Rates

| | As Presented (¢/KW-Hr) | Actual (¢/KW-Hr) |
|--------|------------------------|------------------|
| 2006 | 12.75 | 12.75 |
| 2007 | 12.75 | 13.50 |
| 2008* | 13.00 | 14.00 |
| 2009** | 13.00 | 15.00 |
| 2010 | 12.50 | 14.00 |
| 2011 | 12.00 | 13.50 |
| 2012 | 11.50 | 13.00 |
| 2013 | 11.25 | 13.00 |
| 2014 | 11.25 | 12.75 |
| 2015 | 11.25 | 13.75 |
| 2016 | 11.50 | |
| 2017 | 11.75 | |
| 2018 | 11.75 | |

* During 2008 Hurricane Katrina hit the Gulf of Mexico causing a major disruption to natural gas supplies and a major increase in electrical energy prices

** Between 2009 and 2015 BELD's transmission costs have increased by \$4,000,000. These increases were not estimated in 2005. These costs are scheduled to increase another \$2,000,000 by 2019.

THE WORLD'S BEST POWER PLANTS

Issue Highlights

- Developments in Carbon Capture
- Controls, Sensors & Instrumentation

www.diesलगasturbine.com

THE WORLD'S BEST POWER PLANTS



Cummins Power Generation worked with Nor-Tech Fabrication on this specialized power application to power two portable rock crushers.

charge-air-cooled (CAC) diesel engine. The diesel engine features optimized air- and fuel-handling systems for high-duty cycles and variable loads at constant speed that are required in Nor-Tech's rugged applications.

Generator sets powered by the Q/SB7 engine include a mounted cooling system that enables the product to perform at high ambient air temperatures, saving Nor-Tech installation costs due to simplified design requirements for rejected heat. Cummins Power Generation specifies ambient temperature rating measured at the cooling air inlet of the enclosure, an important distinction between the way some manufacturers rate power for their products, according to Jim Stalnak, sales manager with Cummins Northwest LLC.

"When selecting these Cummins engines and generator sets, Nor-Tech considered the advantages they offered over a typical diesel-powered hydraulic system," Stalnak said. "When you're dealing with engines, rocks and conveyor belts, you need reliable power solutions that are going to work when the conditions are tough."

Because the last thing you need in a harsh environment is leaving a customer stuck between a rock and a hard place.

SEE DIRECTLINK @

WWW.DIESELGASTURBINE.COM

Rolls-Royce Bainbridge Electric Light, U.S.A.

The first two Rolls-Royce Trent 60 gas turbines for the U.S. power generation market have entered service in Bainbridge,

Massachusetts, U.S.A. — developing the relationship between the company and the community-owned Bainbridge Electric Light Department or BELD.

Rolls-Royce and BELD — a non-profit public utility founded in 1892 — drew up a deal favoring BELD's commitment to provide maximum-value power to its customers and the commitment of Rolls-Royce to build its market for aeroderivative gas turbines in North America.

BELD's decision to invest in a new facility was in response to the New England system operator's call for 4030 MW of new capacity to be added to the region between 2010 and 2015. With load demand growing by 1.5% annually, the company foresaw the prospect of needing to pay more for its power in the future, potentially triggering power price hikes for its customers. The new high-efficiency plant enables BELD to avoid price rises.

BELD explored various technology options for both combined-cycle and simple-cycle plants. The decision to select the simple-cycle option using two Rolls-Royce Trent 60 aeroderivative gas

turbines was driven by the need for maximum flexibility at the company's Thomas A. Watson generating station, which serves some 12,500 residential and 2,500 commercial customers.

A town meeting approved funding for the plant in May 2006 and the contract with Rolls-Royce was signed in the fall of that year. The town's backing was significant in a state that had seen other projects rejected after opposition from residents.

The two Trent 60 gen-sets entered commercial service in June 2009 and are already lowering costs for Bainbridge residents. BELD immediately lowered electricity prices by three quarters of a cent per kilowatt hour, the result of gaining increased control over its energy costs. This control is allowing BELD to be less conservative in its approach to power prices. Electric prices were due to fall a further half cent per kilowatt hour before the end of 2009.

Bill Bottiggi, general manager of BELD, said the new facility, which is expected to log fewer than 1500 hours a year of operation, is more than simply a peaking plant. He added, "With the low heat rate of the Trent gas turbine, we are not just running in extremes. The system peak is about 30,000 MW but we are getting calls from the system operator when the system load is in the 22,000 MW range."

The two turbines, which can reach full load in 10 minutes, allow an element of redundancy that a single unit cannot provide, said Rolls-Royce, adding that the plant can still deliver 50% of its capacity even if one unit goes offline.

SEE DIRECTLINK @

WWW.DIESELGASTURBINE.COM



The first two Rolls-Royce Trent 60 gas turbines for the U.S. power generation market have entered service for Bainbridge Electric Light Department, Bainbridge, Massachusetts, U.S.A.

Why Build another Power Plant

- Potter II Status
- Environmental Issues
- Capacity Market
- Financial impact
- Cost of New Power Plant
- Schedule / Milestones
- Who is Helping Us
- Options

Potter II

- Commercial Operation since 1977
- Will be 42 years old 2019
- Reliability becoming an issue
 - Currently out of service with transformer issue
- Doesn't fit ISO-NE

Markets

- Subject to performance penalties



Environmental Issues

- Potter II has high emissions
 - Nitrous Oxide 42 PPM (parts per million)
 - Carbon Monoxide 50 PPM
- New Power Plant will have low emissions
 - Nitrous Oxide 2.5 PPM
 - Carbon Monoxide 5.0 PPM
- New Power Plant backup for renewable
 - Fast Start, flexible dispatch

Capacity Market

- Auction held every February
- ISO-NE uses auction to procure capacity needed for reliability
- When new capacity is needed auction price clears high
- Utilities pay for their share of capacity
 - BELD has provided its own capacity

Financial impact

BELD CAPACITY CURRENTLY

CAPACITY REVIEW - 2015

| Cost* | Peak Load | BELD's Share of Southeastern MA Capacity Obligation | Cost to Load/ \$/kW-month | |
|------------------|---|---|--------------------------------|------------------|
| | 83 MW | 114 MW | \$3.13 | \$356,706 |
| Payment** | BELD Capacity Entitlements within our zone | | Rate of Payment \$/kW-month | |
| | Potter 2 | 69 MW | | |
| | Watson 1&2 | 32 MW | | |
| | NYPA | 2 MW | | |
| | Seabrook | 8 MW | | |
| | | 111 MW | \$3.13 | \$347,319 |
| | | | Net Monthly Cost | \$9,387 |
| | | | Net Cost for Year | \$112,644 |

* What ISO-NE charges BELD for their share of Load in New England

** What ISO-NE pays BELD for their generation

Financial impact

PROJECTED CAPACITY REVIEW - 2019

Potter II Retired

| Cost* | Peak Load | BELD's Share of Southeastern MA Capacity Obligation | Cost to Load/ \$/kW-month | |
|------------------|---|---|--------------------------------|-------------|
| | 87 MW | 110 MW | \$11.60 | \$1,276,000 |
| Payment** | BELD Capacity Entitlements within our zone | | Rate of Payment \$/kW-month | |
| | Watson 1&2 | 32 MW | | |
| | | 32 MW | \$11.08 | \$354,560 |
| | BELD Capacity Entitlements in other zones | | | |
| | NYPA | 2 MW | \$9.55 | |
| | Seabrook | 8 MW | \$9.55 | |
| | NextEra | 10 MW | \$7.04 | |
| | | 20 MW | \$8.28 | \$163,122 |
| | | | Net Monthly Cost | \$758,318 |
| | | | Net Cost for Year | \$9,099,816 |

* What ISO-NE charges BELD for their share of Load in New England

** What ISO-NE pays BELD for their generation

Financial impact

PROJECTED CAPACITY REVIEW - 2019

Potter II Retired / New Power Plant

| Cost* | Peak Load | BELD's Share of Southeastern MA Capacity Obligation | Cost to Load/ \$/kW-month | |
|------------------------------|---|---|--------------------------------|----------------------|
| | 87 MW | 110 MW | \$11.60 | \$1,276,000 |
| Payment** | BELD Capacity Entitlements within our zone | | Rate of Payment \$/kW-month | |
| | Watson 1&2 | 32 MW | \$11.08 | |
| | Watson 3*** | 60 MW | \$15.00 | |
| | | 92 MW | \$13.64 | \$1,254,560 |
| | BELD Capacity Entitlements in other zones | | | |
| | NYPA | 2 MW | \$9.55 | |
| | Seabrook | 8 MW | \$9.55 | |
| | NextEra | 10 MW | \$7.04 | |
| | | 20 MW | \$8.28 | \$163,122 |
| | | | Net Monthly Cost | (\$141,682) |
| | | | Net Cost for Year | (\$1,700,184) |
| Watson 3 annual bond payment | | | | \$6,908,160 |
| | | | Net Cost for Year | \$5,207,976 |

* What ISO-NE charges BELD for their share of Load in New England

** What ISO-NE pays BELD for their generation

*** Anticipated auction clearing price

Residential Electric Rate Projection With and Without New Power Plant

| | Without (¢/KW-Hr) | With (¢/KW-Hr) |
|---------|-------------------|----------------|
| * 2015 | 13.75 | 13.75 |
| 2016 | 14.00 | 14.00 |
| 2017 | 14.25 | 14.25 |
| ** 2018 | 14.00 | 14.00 |
| 2019 | 16.50 | 15.25 |
| 2020 | 16.63 | 15.38 |
| 2021 | 16.75 | 15.50 |
| 2022 | 16.88 | 15.63 |
| 2023 | 17.00 | 15.75 |
| 2024 | 17.13 | 15.88 |
| 2025 | 17.25 | 16.00 |

* Between 2016 and 2019 transmission costs are schedule to increase by another \$2,000,000.

* Seabrook Bonds paid off

Assumes - Increase in transmission spending slows down
Kilowatt Hour sales remain constant

Cost of New Power Plant

WASTON 3 SUMMARY CONSTRUCTION ESTIMATE

23-Jun-15

Material & Equipment

| | |
|---|---------------------|
| Combustion Turbine Generator and Accessories | \$37,070,049 |
| Electrical Switchgear & Transformers | \$3,920,420 |
| Controls, Instrumentation, and Automated Valves | \$1,205,255 |
| Gas Compressors | \$1,307,762 |
| Balance of Equipment | \$264,213 |
| Operational Equipment and Spares | \$1,385,050 |
| Subtotal Material and Equipment | \$45,152,749 |

Construction

| | |
|--|---------------------|
| General Conditions | \$4,633,332 |
| Civil/Structural | \$7,395,125 |
| Gas Interconnect & Compressor Building | \$2,721,313 |
| Piping & Mechanical Subcontractor | \$10,451,858 |
| Electrical / I&C Contractor | \$9,491,423 |
| Third Party Testing and Commissioning | \$1,156,276 |
| Subtotal Construction | \$35,849,327 |

Engineering and Design **\$4,499,417**

Other (Permits, Fees, Builders Risk, Finance Bond) **\$1,018,507**

Total **\$86,520,000**

| | |
|------------------------------|--------------|
| EPC Cost | \$86,520,000 |
| Owner's Cost and Contingency | \$3,500,000 |
| Interest During Construction | \$5,000,000 |

Grand Total **\$95,020,000**

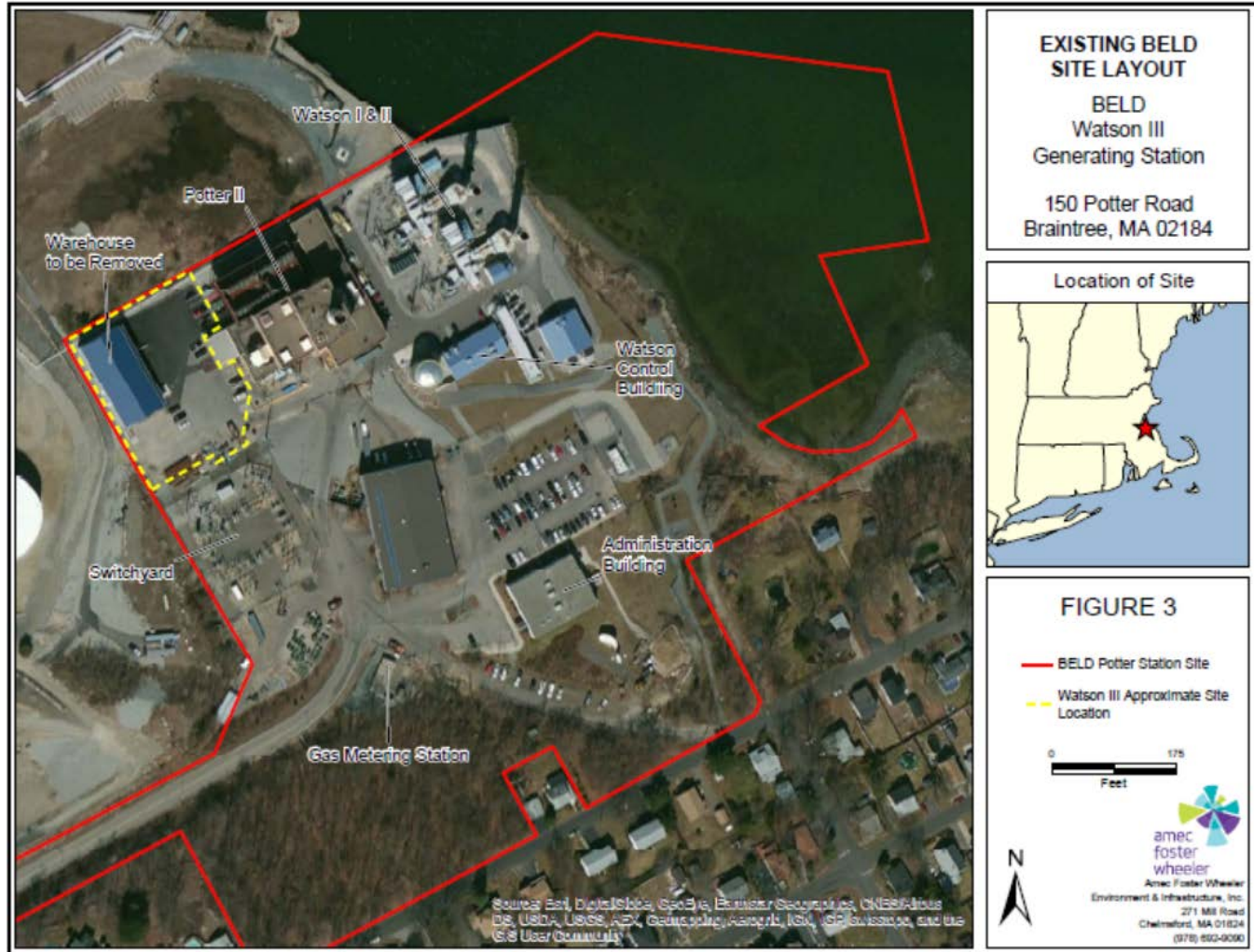
NEW POWER PLANT SCHEDULE/MILESTONES

- Town Council Bonding Approval Sept 2015
- Commit to Retire Potter II September 2015
- Permitting Ongoing Fall 2016
- Forward Capacity Auction Feb 2016
- RFP for gas turbine 2016
- RFP for EPC contractor 2016
- Engineering 2017
- Site prep 2017
- Construction 2018 – June 2019
- Commercial Operation June 2019

WHO IS HELPING US BUILD THE POWER PLANT

- Financing - Town of Braintree
- Owner's Engineer—Ameresco / Waldron
- Legal/Contract—Burke & Foscett
- Project Management—TBD
- Permitting—AMEC Foster Wheeler
- Environmental Consulting—Woodward and Curran
- Power Supply—Energy New England

Location of New Power Plant



H:\Braintree\ElectricLightDepartment\Braintree_MA\Task\1000\Figure 3 - BELD - Existing BELD Site Layout Map.mxd April 09, 2015 DWN: andrew.nelson CHKD: ARN

Sources: ESRI, 2012; Parcel data, MassGIS, 2013.

Location of New Power Plant



OPTIONS

- Potter II – extend life
 - Commission an engineering study
 - Invest \$5 - \$10 million in turbine, boiler, condenser repairs
 - Still will have reliability issues and doesn't fit well in today's markets
- Retire Potter II and don't replace
 - Purchase capacity off open market at high cost

SAFE, RELIABLE AND ECONOMICAL ELECTRICITY FOR BRAINTREE

- Allows Braintree to control its own destiny
- Covers BELD's capacity requirement at less than market rates
- Provides an efficient source of electricity for the future
- Rate Stability
- Environmental Benefits



Power Supply/ Power Plant Project 2015

QUESTIONS ??



TOWN COUNCIL

TOWN AUDITOR

NATURE OF WORK:

The Town Auditor shall conduct, or cause to be conducted, financial and performance audits following government auditing standards as promulgated by the comptroller-general of the United States. The Town Auditor shall make periodic reports to the Town Council in such detail and with such frequency as the Town Council shall, by ordinance, by rule or by other vote, direct. All officials of the Town shall cooperate with the Town Auditor in the performance of this audit function. The Town Auditor shall have such other powers and duties as may be provided by the charter, by ordinance or by other vote of the Town Council.

The Auditor will conduct financial and operational/performance audits of Town agencies/departments and provide regular reports to the Town Council.

SUPERVISION:

Reports to the President of the Town Council (*directly*) AND All Councilors (*indirectly*)

JOB ENVIRONMENT:

Works under typical office conditions with minimal physical effort.

ESSENTIAL FUNCTIONS:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Duties are not necessarily in order of importance or frequency of performance.)

- Performs all duties of the Town Auditor as described in ***Chapter 189 of the Acts of 2005***, also known as the "Braintree Charter or "The Charter".
- Conducts performance, operational, and financial audits. Issues detailed audit reports to the Town Council, for the Council to develop an action plan on each audit issue.
- Works with the Town's Chief Financial Officer in the review of current internal controls and the design, development and implementation of enhanced controls.
- On an ongoing basis, examines and reviews incoming and outgoing cash flow of the Town by obtaining evidentiary documentation (e.g. receipts, purchase orders, invoices, etc.)
- Provides analysis to the Councilors on the Mayor's proposed operating and capital budgets. Reviews/analyzes each financial measure proposed by the Mayor and provides a detailed recommendation to the Town Council.
- Conducts special projects and analyses as requested by the Councilors; for example, identifying cost components and cost drivers of various programs, expenditure trend analysis and comparative analyses of revenue and expenses.
- Coordinates the annual third-party independent audit of the Town's books and records resulting in the certification of the Town's annual financial statement. Recommends to the Council the hiring of a third-party independent audit firm and the supporting criteria for the recommendation.
- Reviews the total Town cash reconciliation between the treasurer and the accountant and the data provided to the Dept. of Revenue. This includes all bank accounts, investments and trust funds.
- Conducts an annual physical inventory of any and all Town-owned assets. Reconciles the inventory to Town capital asset records and department procurements back up.

- Attends meetings as requested by the Town Council and the Ways and Means Sub Committee, especially during budget discussions.
- Acts as the Town Council liaison with the administration regarding all financial issues (e.g. appropriation requests, expenditures, etc.) to be discussed during Town Council meetings.
- Reviews certain data prepared by the Assessor's office including the tax rate, recapitulation, tax levy limitation, tax burden shift worksheets, tax classifications and department of revenue estimated receipts and charges.
- When the proposed capital improvement program (CIP) is submitted to the Town Council by the Mayor, as required by the Charter, *section 6-10*, the Town Auditor shall review the proposed CIP and make detailed recommendations to the Town Council.

KNOWLEDGE, SKILLS AND ABILITY:

Knowledge: Thorough knowledge of the principles and techniques of accounting, including State accounting, auditing and internal controls. Working knowledge of municipal finance and the State/Federal Office of Fiscal Affairs policies/procedures. Considerable knowledge of the principles of business administration.

Skills: Excellent communication skills, both orally and in writing. Advanced computer application skills applicable to the Town's accounting software programs. Strong analytical and organizational skills.

Ability: Ability to plan, coordinate and conduct periodic audits of the Town's financial operations. Ability to work independently and effect improvements/recommendations in internal controls and financial operations. Ability to prepare complex financial reports and present them to Town Council.

REQUIRED QUALIFICATIONS:

- Bachelor's degree in Accounting or Finance required.
- CPA or CPA preferred*
- 5 years financial experience, through public accounting/auditing (Big 4 a plus) and/or industry experience.
- Strong analytical, written/verbal communication, interpersonal, and relationship building skills.
- Strong Municipal Finance experience preferred.

***CPA required (Order 030-11 December 6, 2011 vote of Council)**

| |
|---|
| Approved by Town Council Date Approved: 8/11/15 Revised 7/14/15 (order 033-15) Classification: Mn-17 Union: N/A |
|---|

GRADE M17

| | |
|----------|---------------------|
| 7/1/2007 | \$64,494 - \$74,550 |
| 7/1/2008 | \$65,486 - \$76,041 |
| 7/1/2009 | \$65,486 - \$76,041 |
| 7/1/2010 | \$66,141 - \$76,801 |
| 7/1/2011 | \$67,463 - \$78,337 |

| <u>Town Auditor Costs</u> | <u>BUDGET</u> | <u>ACTUAL</u> | <u>VARIANCE</u> |
|----------------------------------|----------------------|----------------------|------------------------|
| FY2009 (1/9/2009 – 6/30/2009) | \$37,000 | \$36,156 | \$ 844 |
| FY2010 (7/1/2009 – 6/30/2010) | \$74,000 | \$66,844 | \$ 7,156 |
| FY2011 (7/1/2010 – 6/30/2011) | \$74,000 | \$34,281 | \$39,719 |
| FY2012 (7/1/2011 – 6/30/2012) | \$74,000 | \$12,250* | |

*Invoiced through 12/1/2011

Edward J. Spellman, Jr.
Director of Finance



Joseph C. Sullivan
Mayor

TOWN OF BRAintree
DEPARTMENT OF MUNICIPAL FINANCE
One JFK Memorial Drive, Braintree, MA 02184
Tel: 781-794-8035 Fax: 781-794-8181

To: Thomas M. Bowes, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

Cc: Joseph C. Sullivan, Mayor
Michael Coughlin, Chief of Staff and Director of Operations

From: Edward Spellman, Director of Municipal Finance

Date: August 28, 2015

Re: Insurance Recovery Account Transfer

2015 AUG 28 PM 12:04
RECEIVED TOWN CLERK
BRAINTREE, MA

As you may know, another property casualty of our past winter's heavy snowfall was the loss of the Town's salt shed located at DPW headquarters, 245 Union St. The salt shed, which had been standing and utilized for more than 35 years, was crushed by weight of the snow and had to be removed from the site in May.

As a result of the Town's insurance claim with MIIA, we have received and deposited \$179,671.52 into the insurance recovery account. At this time we are entertaining proposals and competitive bids to construct a new salt/chemical shed on the same site. The new salt shed will significantly increase our capacity to purchase, use and store the necessary salt, sand and chemical mixes necessary to keep our roads open during the winter snow season.

The insurance proceeds, along with other FY 2016 available and budgeted monies including the DPW facilities account, have been identified and will allow the Department to contract for the purchase and installation of a new salt and chemical shed. Current estimates for completion of the total project are identified to be in the area of \$350,000.00. We are forwarding this request for your review and consideration.

Accordingly, we ask for your review and approval of the following motion.

MOTION:

That the Town appropriate the amount of One Hundred and Seventy-Nine Thousand Six Hundred Seventy-One dollars and Fifty-Two cents (\$179,671.52) Dollars for the purpose of paying a portion of the costs for the replacement of the town salt shed at the DPW yard. To meet this appropriation the sum of One Hundred and Seventy-Nine Thousand Six Hundred Seventy-One dollars and Fifty-Two cents (\$179,671.52) Dollars be transferred from the Town's Insurance recovery account to the DPW Facilities and Equipment Maintenance Program 02\ Building Repair account.

Since these requests involve the appropriation of funds within the fiscal year 2016 budget, advertising and a public hearing is required under the sections 2-9 and 6-7 of the Town Charter.